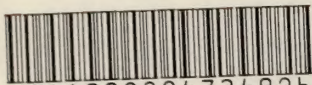




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INCIDENTS AND DOCUMENTS A.D. 1513-1523

THE years during which John, Duke of Albany, governed Scotland for James v. constitute a period in our history which has been somewhat neglected, in spite of the interest and importance of the events and the considerable wealth of material. The great series of calendars of Letters and Papers relating to the reign of Henry VIII. shed much light upon Scottish affairs ; but the historical introductions to these volumes depend too exclusively upon the documents in hand, and occasionally get characters and transactions out of focus. The editor was not familiar with the side of the picture presented by the Acts of the Scottish Council, which are not even now accessible in print. It was the intention of Thomas Thomson, when he was planning for the publication of our national records, to select from the *Acta Dominorum Concilii* those proceedings which related to public affairs, as distinguished from the deliverances on civil causes, and to include them in a volume which should take first place in the series now known in print as the *Register of the Privy Council*, which begins at 1545. When Hill Burton undertook the editing of that Register, Thomson's plan was not followed. There are obvious disadvantages for the study of constitutional history in such an artificial separation as was contemplated : the *Acta* could not be printed as a whole : there were records with a prior claim to publication ; and the consequence was that much important matter has remained comparatively unused. The history of James v.'s minority, full of intricacy and importance, cannot yet be written. The

2 INCIDENTS AND DOCUMENTS, 1513-1523

present paper does not aim at more than introducing some little-known documents connected with the life of Edinburgh which occur in the minutes of the Lords of Council.

AFTER FLODDEN

In the brief campaign which ended at Flodden the Scots were attempting to relieve the pressure of the Holy League upon France. After their disastrous defeat it was to France, still actively engaged in hostilities with England, that they were compelled to turn. Not until the following year (1514) did the dissensions between Henry, Ferdinand, and Maximilian extricate Louis from his dangerous position, and enable him to conclude a peace with the English king. Hence it was that in November of 1513, some eleven weeks after Flodden, a Scottish Council entertained the suggestion that the Duke of Albany should come to the defence of their country. Margaret Tudor had been left as guardian to the infant James v. There was no pressing need, on patriotic grounds, to overturn the arrangement. In the circumstances the feelings of the widow and mother might counterbalance those of the Englishwoman; but Margaret was the sister of Henry VIII., and it was necessary to have a leader who could take the field. Albany was a soldier of repute, a Frenchman who was the son of a Scottish prince, first claimant to the crown should the offspring of James IV. fail.

James Betoun, Archbishop of Glasgow, was the statesman whose lot it was to grapple with a difficult situation. He has never received the credit due to his extraordinary ability and persistence. From the outset he grasped the fact, which was indeed obvious, that the policy for Scotland was to use France as a support in the event of English aggression, and to secure peace, if that were compatible with independence. The presence of Albany might lead the French to make a tool of Scotland; but that risk must be run. The problem was to

maintain the conditions under which alone the country could recover from its losses.

EDINBURGH CASTLE

Amid the confusion it was not easy to organise concerted action. Henry was still employed with France ; and it might be urged that he had no defeat to avenge and would not be likely, in any case, to follow up his victory for some time to come. Yet his diplomacy was already at work. In February, 1513-14, Magnus was in Edinburgh, attempting to use the differences between Margaret and the Lords in his master's interest.¹ Sir Patrick Creichtoun of Cranstoun-Riddell, the captain of Edinburgh Castle, evidently regarded the situation with apprehension, and addressed a petition to the Queen and Council in the hope of forcing active measures.

'MADAME,—Unto your gude grace and to the reverand and nobill lordis of counsale humelie schewis I your servitour Patrik Creichtoun of Cranstoun Reddall, Knycht, capitane of the castell of Edinburgh, that quhare as your grace and lordschipis knawis the said castell quhilk is ane of the principale strenthis of the realme is now desolat of artalzery and uther thingis necessar for defens and keping therof, and now lately Monsr. delebawty² and Robert Borthuik hes of your causing visit the said castell and hes devisit bulwerkis and trinchis to be made before the place and siclike within the castell to be stuffit with men and artalzery for defens therof in tyme of assalt gif ony beis maid be our anymis, the quhilk devise without it be put to executioun and fulfillit in deid is in vane : heirfore it will ples your gude grace and lordschipis for honour and proffet of the kingis hienes and his realme to caus werkmen be put incontinent to fulfill the said devise as salbe

¹ *Letters and Papers (Henry VIII.)*, i. 4825.

² Sir Anthony D'Arcy had been present as French envoy at the Council on 26th November 1513, when the question of Albany's coming was discussed (see *Acts of Parliament*).

schewin to thame be Robert Borthuik and uther wis men sic as ye ples to assigne thereto and that without delay, sen that is gret werk to be maid baith within the castell and utouth and the tyme is schort, for the symmer sesoun approchis fast, and als that ye will provide in tyme for furnissing of the said castell with men, vittalis, artalzery, fewell and sic uther thingis as is necessar for keping therof in tyme of weir ; and als that ye will caus me to have pament of my pensioun assignit for keping of the said castell, for the forest stedis¹ that war assignit to the pament thereof ar layt waste and my gudis that war theron restand stollin and I man now in tyme of trubill and of the kingis les age mak fer largear cost upone the keping of the said hous in wachmen, garatouris, portaris, and utheris servandis than wes maid theron of before ; and that ye will avise heiron in tyme and do that accordis to be done without delay, for I am and salbe reddy with my kyn and frendis to do heirin all that accordis me to do eftir my power, sa that god willing thar sall na falt be fundin in me ; and your ansuere heirupone.'

[*On back.*] 'The said Sir Patrick askit ane instrument that he has present this bill till the lordis: *Acta in domo consilii xx^o febr. anno v^{co} xiii^o. Visa per dominos consilii: Clericus Registri.*'

Unfortunately the Treasurer's account which would contain the items of expenditure on artillery does not survive ; but it is likely that the petition had effect. On 8th March the lady of Dundas agreed with the Council to execute defensive works on Inchgarvie ;² and the Castle can scarcely have been neglected. We know certainly that Creichtoun repaired the walls near the Well Tower and at the head of the 'postrom,' built a 'browhous' and a 'baikhous,' and also the portcullis of the 'fore tower' (*anterioris turris*), which was provided with iron chains and other necessities.³

It is possible that these measures were taken at the instance

¹ Sc. in Ettrick ; cf. *Acta Dom. Conc.*, 17th and 19th Jan. 1522-3.

² *Acta Dominorum Concilii.*

³ *Exchequer Rolls*, xiv. 108.

of a committee of defence, appointed by a General Council which sat at Stirling on 31st May 1514.¹ Henry VIII. was not yet freed from his continental complications ; but he was interfering in Scottish affairs, and there was a suspicion that he intended some *coup*, to kidnap the infant King or surround Margaret with a strong English party. Betoun saw that the lords, if they could be prevented from dissension, might control the Queen and compel her to accept their policy. It was not, however, an easy task. Several important benefices were vacant ; and it was hard to prevent division in the Council when so many family interests were at stake.

On 10th July, at Edinburgh, the lords made a declaration regarding a general rumour that they and the three estates 'suld be disentit and diversit in oppunzeonis and actiounis privait,' whereby 'ane part of thame suld disfavor uthires.' The Queen, followed by Betoun and sixteen lords, temporal and spiritual, signed a denial, asserting that they would hold together for the defence of the realm. Two days later, evidently in the presence of Margaret, a meeting of thirty-two councillors recorded a writ in which they promised to 'stand in ane mynd and concurr with all the lordis of the realme to the plesour of our master the kingis grace, your grace, and for the comone weil.'²

QUEEN MARGARET

This apparent harmony was rudely interrupted by the marriage of Margaret and the young Earl of Angus in August. In the same month Henry entered into treaty with France, and was now at liberty to turn his attention to the north. It was necessary for Betoun and the patriotic party to act strongly and at once. Violent hands are said to have been laid upon the archbishop himself in order to obtain the great seal for the Queen and the Douglasses, who now were allied

¹ *Acta Dom. Conc.*

² *Ibid.*, 10th and 12th July.

with her. Betoun, says Lesley, 'in a furie cumis til Edinburgh, occupis the toune and all the boundes about, gatheris his freindes, intendes to hald out the quene and her husband.'¹ His action bore immediate fruit. On 26th August, at six o'clock in the evening, a meeting took place in 'the Queen's laigh chamber' at Holyrood, when the following very important document was completed.²

'It is appointit and finalie aggreit betwix the postulat of Arbroath,³ lordis Drummond and Ogilby in the name of the quenis grace and erle of Angus hir spous and for thaim self on the ta part, my lordis bischop of Ergile,⁴ chamerlane,⁵ abbot of Halirudhous,⁶ and archidene of Sanctandrois⁷ in name of the lordis of consale and for thaim self on the tother part, in forme and effect as eftir followis, that is to say that the quenis grace with consent of hir husband and lordis forsaide sall consent that my lord duk of Albany as governour of Scotland be send now incontinent for, and in all gudlie haist, and sall subscribe now the lettres to be send for him: secundlie, the said quenis grace with consent of hir spous and lordis forsaide sall ceis fra using of all maner of thingis pertenyng to the croune and consentis to abstene hir self thairfra to the xii day of September and viii dais thereftir, to the effect that within the said viii days the lordis callit to the said consale and beand present for the tyme may decerne quhethir scho has rycht to use ony thing pertenant to the croune or nocht: thridlie, that the gret seile be deliverit in keping to the archidene of Sanctandrois on to the said xii day and viii dais thereftir, and the postulat of Arbroath to have the keyis of the samin, and gif it beis fundin be ye saidis lordis that scho suld use the materis of the croune, than scho sall intromett and excers the samin and sall have the gret sele deliverit to hir; and in the

¹ *Archbishops of St. Andrews*, iii. 50.

² *Acta Dom. Conc.*

³ Gavin Douglas, uncle of Angus.

⁴ David Hamilton, brother of Arran.

⁵ Home.

⁶ Geo. Creichtoun.

⁷ Gavin Dunbar, Clerk Register, afterwards Bishop of Aberdeen, uncle of Gavin Dunbar, the King's preceptor.

meyntyme that na maner of persouns use ony thing per-
tenand to the crone quhill the said xii day and viii dais
thereftir. The quhilk apoyntment and contract the quenis
grace with consent of hir spous and lordis forsaide consentit
and consentis to observe and kep in all maner of poyntis as is
aboune writin : apoun the quhilk the said bischop of Ergile
in the name of the lordis of counsale forsaide askit instrumentis.
*Acta erant hec infra palacium domini regis prope monasterium
Sancte Crucis in camera inferiori domine regine hora sexta
post meridiem, presentibus ibidem abbate Sancte Crucis, archi-
diacono Sanctiandree, Willelmo Ogilby de Stratherne, milite,
et Willelmo Sinclair, hostiario regine, cum diversis aliis.'*

The Queen's party was established at Stirling : Edinburgh
was held by Betoun and the lords who followed him. Dun-
fermline was chosen, perhaps, as neutral ground for the
Council which was to deliver upon the position of Margaret.
The question was complicated by the fact that the Scots
were to be included under certain conditions in the Anglo-
French treaty ;¹ and a good deal would depend upon the
attitude which the lords adopted towards the comprehension.
They decided that Margaret, if she had right by the law of
Scotland to act as tutrix to her son, should enjoy it : other-
wise they would provide for the government. This showed
how the wind was blowing. Next day, 18th September, they
consented to inclusion in the treaty ; but, taking the con-
ditions 'to contene rayther weir than pece,' invited Albany
to come as soon as possible, and urged him to send money
and munitions, especially 'our schippis and all the artalzerie
being in thaim.'²

The Council then addressed itself to the matter of the
Queen, declining to admit any exception to its competence.
Albany was to be Governor till the King's 'perfect age,' and

¹ *Letters and Papers (Henry VIII.)*, i. 5319.

² The fleet, under Arran, had been sent before Flodden to assist France. The *Great St. Michael* was sold to Louis.

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was to insist upon the amendment of the unsatisfactory conditions regarding Scotland in the treaty. A formal instrument to this effect was signed by a large body of temporal and spiritual lords, led by Betoun and Elphinstone.¹ Finally, decret was delivered that Margaret had by marriage forfeited her office as tutrix, conform to the laws of the realm.² This decision the lords declined to reconsider, in spite of protests from the Queen's party; and Gavin Douglas, who had been posing as Chancellor, was ordered to hand over the keys of the seal to Betoun.³

Margaret, no doubt instigated by messages from her brother, refused to accept the situation. When the Council met at Edinburgh on 24th October, it was announced that she intended to intromit with the Crown revenue, and was using the royal jewels and treasures to buy support; and, whereas the lords had proclaimed a Parliament for Edinburgh on 17th November, she had summoned a rival assemblage at Perth for 20th November.⁴ Some fruitless efforts to reach an accommodation were made through John Adamson, Provincial of the Blackfriars, 'a man of grete knowlege, gude fame, and conscience,' who acted as intermediary.⁵

On the eve of the Parliament at Edinburgh a deputation was sent to Linlithgow to meet representatives of the Queen's party from Stirling. The lords said that they would follow the opinion of the three estates in their future action. Albany had written suggesting that they should offer 'all gud wais' to Margaret and her supporters. They therefore laid down their conditions. She must desist from interference in Crown affairs, leaving them to the disposal of the estates: the

¹ It is important to observe the line taken by the Bishop of Aberdeen in this, one of the last of his public acts. The Queen and her party, aided by Henry VIII., sought to enlist the support of Leo X. by means of a papal confirmation of the late King's testament; the patriotic party (cf. *Acta Dom. Conc.*, 13th Oct. 1515) declined to brook papal interference.

² *Acta Dom. Conc.*, 17th and 18th Sept. ³ *Ibid.*, 21st Sept. ⁴ *Ibid.*, and 24th Oct.

⁵ *Ibid.*, 18th Sept., 26th Oct., 14th Nov.

King's 'honest sustentation' would be given through his own officers, while the remainder of the royal revenue would be administered by them till Albany came, and she herself would enjoy her 'conjunct fee.' She must, however, give 'remeid' for her intromissions since Flodden; and, when this and certain other conditions had been fulfilled, she and her lords should come to the Parliament at Edinburgh 'in sobir maner' to treat for the common weal.¹

It would appear that as the result of these negotiations Margaret came to Edinburgh, 'taken' thither, as she herself put it, by Arran and Home, and was received by Betoun and the Council, who did not interfere with her return.² From Stirling she wrote to her brother and announced that she expected English assistance. Home had evidently not made himself agreeable: he was the 'post of this conspiracy.' She would hold Stirling Castle, she said, till she had news from Henry.³

That King was not so enthusiastic for an expedition as his sister. He had his fill of war for the time, and did not wish to disturb relations with France. He confined himself to suggestions that Margaret and Angus might come to the border and bring James with them—a cheap and innocuous method of fomenting trouble in Scotland. They, on their part, preferred to wait and see whether Albany would come: it was foolish to alienate patriotic people and ruin their prospects by too precipitate action.

GAVIN DOUGLAS

The events which next excited the citizens of Edinburgh were of a different character. On 16th and 17th January 1514-15, under the auspices of Home, the papal bulls pro-

¹ *Acta Dom. Conc.*, 14th Nov. The question of 'remeid' henceforth complicated the relations of Margaret and the Council.

² *Letters and Papers (Henry VIII.)*, i. 5641.

³ *Ibid.*, 5614.

moting Andrew Forman, Bishop of Moray, to the vacant Archbishopric of St. Andrews were published at the High Kirk and at the Abbey Kirk.¹ This was an indelicate and highly irritating performance in the eyes of the Queen and her party. Gavin Douglas was Provost of St. Giles. Three weeks after Flodden 'Bell-the-Cat' had taken office as Provost of Edinburgh,² and his son, Master Gavin, was made a burghess 'for the common good of the town.'³ While the authority of Margaret was still recognised, she nominated Gavin in Council for the Abbey of Arbroath: after Elphinstone's death, when no longer regent, she recommended him to Leo x. for St. Andrews, and encouraged him to occupy the Bishop's castle, from which he was ousted by John Hepburn, himself a strenuous candidate.⁴

If the proclamation of Forman's bulls was offensive to Margaret and the Douglasses, it also raised acutely the question of relations between Scotland and Rome. The Crown right of nomination for the prelacies, which was considered indispensable for the maintenance of national unity, seemed to be in danger. The matter required delicate and yet firm handling. The rival parties were forwarding their recommendations to the Pope, and within the Council itself, as we have seen, there were conflicting interests. If Albany was needed to preserve Scottish independence against English attack, he was also urgently required to settle the intricate problem of the new promotions and to dispense royal patronage with a strong hand. The Lords of Council plunged into debate, avoided decision, and anxiously awaited his arrival, which was delayed by the death of Louis XII. and the necessity of attending to Scottish interests in a new Anglo-French treaty.

On 4th May 1515 the Council agreed to the proposed

¹ *Archbishops of St. A.*, ii. 113.

² He died not long after.

³ *Records of the Burgh of Edinburgh (Extracts)*, i. 144.

⁴ *Archbishops*, ii. 105.

comprehension of Scotland, and announced that abstention from hostilities with England would date from the middle of the month.¹ Henry hoped that France would retain Albany; and was disappointed. The Duke arrived at Dumbarton, and reached Edinburgh on 26th May.² There he found Master Gavin Douglas among the other Councillors, under his official designation 'postulate of Arbroath.' The presence of this accomplished ecclesiastic and burghess is not difficult to explain. Now that Albany had really come, it was necessary to watch proceedings on behalf of the Queen; but more immediately important was the fact that a decision would have to be taken regarding the great benefices in which Douglas was interested. Andrew Forman, who was on the continent during the Flodden campaign, obtained provision from Leo X. to St. Andrews, Dunfermline, and Arbroath, and also purchased a reservation of Dunkeld. When the aged Bishop of Dunkeld died (January 1514-15), Gavin Douglas received the Queen's nomination, which she had no longer a title to give; but if Forman could be upset for infringing the Crown right, Douglas might, after all, obtain one of the great benefices, or, at the worst, be named authoritatively for Dunkeld.

Unfortunately, the intrigues carried on with England could not be forgotten, and Lord Dacre was doing his utmost to keep them going in order to make Scotland too hot for Albany. Some correspondence was intercepted, and Douglas suddenly found himself arraigned on the charge which he had hoped would prove the undoing of Forman, aggravated by dealings with the arch-enemy. It appeared that he had visited the Governor some time before in order to explain his conduct. If it was found he had used English influence at Rome, 'he was content,' he said, 'that my said lord suld gar cut of his heid.' Albany made him rehearse this denial before Margaret, who was equally emphatic on the subject.

¹ *Acta Dom. Conc.*

² *Treasurer's Accounts*, v. 18.

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In the Council Douglas continued to protest. 'Or he had bene art or part in the said mater in that forme he had lever have bene hangit and never had benefice in the realme.' Then the incriminating correspondence was produced, along with the nomination by Margaret and her lords, and the blow fell. Master Gavin retired to ward, where he remained for some months, until Albany was compelled by the exigencies of domestic politics and the pressure of Leo X. to recognise him as Bishop of Dunkeld.¹

JAMES V. IN THE CASTLE

We are not concerned with the history of the troubles in which the Governor was successively involved. They are partly reflected, indeed, in the list of provosts who ruled Edinburgh. If a successor to 'Bell-the-Cat' was appointed, he is not named. Home was elected in May 1514, and when he joined Margaret, David Melvill seems to have carried on the government as 'president.' Then, in October of 1515, Sir Patrick Hamilton of Kincavil was appointed, only to be deposed next day in favour of Melvill, obviously when it became known that Arran had joined the rebellious Home.² What does concern us is the provision which was made for the custody of the young King.

James had been in the charge of his mother at Stirling, but the plots fostered by Dacre, in which Drummond, the Captain of the Castle, and Home were found to be involved, rendered it imperative that precautions should be taken. On 20th July 1515 Albany considered the state of the fortifications at Inchgarvie,³ and early in August he went to

¹ *Acta Dom. Conc.*, 6th to 9th July; *Letters and Papers*, ii. 705, 1027; *Archbishops*, ii. 165, App. vii. The incriminating letters are printed in Small's introduction to the *Works*, but the narrative is not clear or quite accurate. See also Fraser's *Douglas Book* iv. 68 ff.

² *Records of the Burgh*, i. 146, 148, 157-8; *Treasurer's Accounts*, v. 45.

³ *Treasurer's Accounts*, v. 22.

Stirling to deal with Margaret and her friends, taking Mons Meg, it was said, along with other persuasive artillery.¹ Marischal, Borthwick, and Ruthven were appointed to look after the King.² Margaret, as is well known, soon retired to England,³ and remained there till the summer of 1517, when the posture of European affairs had permitted a cessation of hostilities with Scotland. She was allowed to return on condition that she took no part in the administration.⁴ Francis I. was aiming at the treaty with Henry VIII. which he obtained in 1518; and Albany's presence in Scotland did not suit that plan. Betoun, with his usual address, saw how things were moving, and was prepared to cultivate the Queen.

At a Council on 30th March 1517, at which Albany was present, arrangements were made regarding the custody of the King.⁵

'It is stautut and ordanit that gif the quenis grace cummis hame in Scotland and desiris the castell of Striveling to be deliverit to hir or in any uthir caus aperand that may happin, the kingis grace to be in the castell of Edinburgh gif the pestelence be nocht in the toune; and gif the toune of Edinburgh be infect with pestelence, than his persoune to be put in keping in sic a ganand place as my lord governour and lordis beand with him for the tyme sall think expedient.

'Item, it is ordanit that Sir Patrik Crechtoune, capitaine of the said castell of Edinburgh, sall have the keping of the haile castell, the gret toure beand except, into the quhilk the kingis grace sal be lugit with certane lordis chosin for the keping of his persoune, as sal be divisit; and the said capitane sall find the erle of Mortoun, abbot of Halyrudhous, lard of Cragmillar, and uthiris his frendis about the said toune of Edinburgh, souirte for his lawte and sure keping of the said castell; and has presentlie fundin the erle of Huntlie souirte

¹ *Letters and Papers*, ii. 788; *Treasurer's Accounts*, v. 29.

² *Acta Dom. Conc.*, 26th July, 6th Aug.

³ Sept., *Treasurer's Accounts*, v. 39, 40.

⁴ *Letters and Papers*, ii. 3119.

⁵ *Acta Dom. Conc.*, xxix. 179.

for him in the premissis. Attoure the abbot of Halirudhous in presens of my lord governour has promist faithfullie to remane with the kingis grace in the utir castell with his honorable houshald for the sure keping of his persoune. And als it is ordanit that the said capitaine sall have of yeirly pensioun the soume of iiij^c merkis during the tyme of the kingis remanyng in keping within the said castell, in doubling of his pensioun, becaus it is undirstand to the saidis lordis that he mon mak greter expens apoune the keping of the said castell, the kingis grace beand therin, than was maid of befoir.

‘Item, it is statut and ordanit that the lordis Borthuik, Ruthvene, and Erskin sall remane ilk ane of thame four monethis with the kingis grace within the gret toure, and sall have the cure of the keping of his persoune and of the said toure ; for the quhilk ilk ane of thame sall have to thair expens for the said four moneth ii^c li., and sal be exemit fra all maner of chargis of the realme during the tyme of thair residence with his grace. And als the said abbot of Halrudhous sall inlikwis be exemit and dischargit of all sic chargis during the said tyme.

‘Item, it is ordanit that Robert Borthuik and sex canoneris sall continually remane in the said castell for the defens therof.¹

‘Item, it is divisit that a dusane of futemen with helbartis and a capitane with thame sall remane in the said castell, quhilk sall nychtlie mak ther wache befor the kingis chalmir, and sall be chosin sufficient persounis be ye capitane of Myllane ;² and he to have for his wagis the soume of ii^c merkis yerly.’

Steps were immediately taken to prepare for the Queen’s reception. Her ‘gret chamir’ at Holyrood was repaired : ‘all the hangyn’ was brought from Stirling ; and we read of ‘ger’ taken down from Edinburgh Castle to the Abbey.³

¹ Cf. *Exchequer Rolls*, xiv. 285, 349, 458.

² Alan Stewart.

³ *Treasurer’s Accounts*, v. 115-18.

Towards the end of April Albany gave orders that the King, who was already under the care of Master Gavin Dunbar, his future Chancellor, and David Lindesay, should be brought from Stirling: from the place where, according to Gavin Douglas, he was well at ease 'to the wyndy and richt unplesand castell and royk of Edinburgh.'¹ The artillery was duly taken into the Castle, and Lord Borthwick assumed his responsibilities for the first spell of four months.²

On 2nd May Albany and the Council discussed the precautions which were to be taken at the Castle. The minutes of the meeting³ show a considerable number of deletions; and the first paragraph, after the draft or first version had been corrected, was written out in fair copy. This copy runs:—

'Item, it is divisit and ordanit that the lord kepar of the kingis grace for the tyme sall have all Davidis towr [and of the ledis as thai sall be contentit wyt],⁴ and the postrum on the sowtht syde of Davidis towr, and sall have all the keyis of thyr plaices, and sall mak uschearis and keparis of enteres at his⁵ plesour and na man to entir to the kingis grace without his⁵ licence and command; and that the capitane of the castell sall gif reddy enteres and uschee all times convenient in and furtht of the castell to the lord kepar and his servandis for provisiōne making of all thingis necessar; and als has ordanit that the custumar of Edinburgh answer to the lord kepar for the tyme of his pensione to his expensis and that lettres be direct therapone to him. And before the posterum zett sall nichtly wache three [personis without]⁶ to be deput by the provest of Edinburgh therto.'

¹ *Treasurer's Accounts*, v. 111; *Exchequer Rolls*, xiv. 8; *Letters and Papers*, iii. 1898.

² *Treasurer's Accounts*, v. 122; *Exchequer Rolls*, xiv. 285.

³ *Acta Dom. Conc.*, xxix. 179.

⁴ These words were added on the margin of the first minute.

⁵ In the draft 'thar' is corrected to 'his.'

⁶ Interlined in draft; 'without' also stands after 'Edinburgh,' in place of 'therto' in the fair copy.

The items which were not recopied, and which immediately follow the first draft of the foregoing paragraph, are these :—

‘The master of the kingis luge in the inner under chalmer : the lord that kepis the king within the toure or quhare the erll of Murray¹ lugit, and sall gar ane [or twa]² of his wache nichtly apoun the treis befor the litle zett, ane uthir apoun the hede of the toure.

‘[The capitane of Millane in ane chalmer of the toure, and nichtly thre archaris apoun ane stray bedis [*sic*] in the foir hall of the toure.]³

‘The keys of the toure sall be gevin to the lord that kepis the king gif he lyis in the toure, [and in his absens gif he lyis out sall be gevin to the kingis master or capitane of Millane.]⁴

⁵ ‘Thare sall be ane coffer in the kingis chalmer, and in the samyn sall be keptit the key of the postrum porte ; and this coffer sall oppin with thre keys tharof : the lord kepar sall have ane, the master ane, and the capitane of Millane ane.

‘Item, befor the postrum zett sall nichtly wache twa for the toune and provest of Edinburgh.

‘Item, as for the keys of Davidis toure zett, ane therof nichtly sal be gevin to the lord that gidis for the tyme, ane to the kingis maister in the inner chalmer, ane to the capitane of Millane in the foir hous of the toure quhare his wache is of him and his garde of halbardris.’

The following arrangements were made for the reception of Margaret :—

‘Becaus it is understand to my lord governour and lordis of counsale that the quenis grace is to cum within this realme and mak hir recidence in the samin the xiii day of Junii nixt to cum or therby, tharefor ordanis the wardanis of the eist and myddill merchis to vaike and convoy the erle of Angus for the meting of hir at the band rod, gif scho cummis be Berwik, and gif scho cummis be Caldstreme or Kelso, to mete

¹ Natural son of James IV.

⁴ Deleted.

² Deleted.

³ Paragraph deleted.

⁵ The remaining paragraphs are crossed out.

hir at Tueid and convoy hir the first nycht to Coldingaim, in to the quhilk scho sall remane that nycht ; and on the morn the chancelar and certane lordis with him to mete hir at Hathington, in to the quhilk scho sall remane the secund nycht [and] my lord archibishop of Sanctandrois, legat, to [mete] hir the thrid nycht at Edinburgh with his honorable tryne [and] convoy hir to hir lugin in Edinburgh.' ¹

Next day, 24th May, the lords who had the custody of the King appeared before the Council and 'desirit that becaus the quenis grace is now to cum in this realm, and will desir to see and vesy hir soun the kingis grace, in quhat maner sche sal be ressavit in the castell of Edinburgh therto.' The lords, in presence of the Governor, ordained 'that the quenis grace als oft as sche plesis to cum sall haif interes in the said castell of Edinburgh with xii personis with hir, men and wemen, and sall entir in Davidis tour quhar his grace is with four personis, men and wemen, alanerly ; and gif sche wald desir to remane thar all nicht that the lordis keparis of the kingis grace suffir hir nocht therto.' ²

DISTURBANCES IN THE TOWN

The Lords of Council consented with some reluctance to Albany's departure. To him government, though profitable, had been decidedly irksome and arduous : to them his rule seemed the only means of preventing faction, and they recognised his services in cordial terms. He was to return as soon as possible ; nor was his departure to involve any weakening of their league with France. To exercise his authority an inner council or board of 'regents' was created, consisting of the two leading churchmen, Forman and the Chancellor, along with Angus, Huntly, Arran, and Argyll, as the most powerful territorial lords, and De la Bastie.³

¹ *Acta Dom. Conc.*, 23rd May 1517.

² *Ibid.*, 24th May.

³ *Ibid.*, 23rd April ; 25th May.

Little more than a month after Albany's departure there was serious trouble in Edinburgh; and the Council issued a proclamation:—

'We do you to wit that for samekle as ther has bene ane inordinate motioun of the peple of the toun of Edinburgh incontrar the kingis auctorite, my lord governour, regentis, and lordis of consale, throw the quhilk gret dangeir and scaitht has aperit, tharefor my lordis regentis with the avis of the lordis of consale, for the evitacioun of sic gret dangeir and scaitht in tymes cuming and sure remanyng in this said toun of the regentis and lordis forsaide for doing of justice and stering of the kingis auctorite, commandis and charges all and sindry the inhabitantis the toun of Edinburgh that nane of thame beir wapinis nor weir harnes nor armys nor ryng the common bell nor mak convocatioun nor insurrectioun of the peple without the avis of the regentis and lordis of consale forsaide, under the pane of tresoun, in na cais except allanerlie that it sal be lefull to ring the common bell for fyr and for stanching of the samin, and to cum without armour or wapynis to the samyn, with certificatioun that quha sa dois in the contrar sal be punyst rygoruslie therfor in lif, landis, and gudis.'¹

On the same day, at an afternoon sederunt, the following minute was entered:—

'Anent the actioun movit be the communitie of Edinburgh aganis the chamerlane tuiching the convocation of oure soverane lordis liegis, the chancelar schew him redy to justice civilie therin insafer as he mycht be the law² civile, and as to the criminale actioun referrit the samin to the lords temporale to minister justice therin becaus he nor the lordis spirituale wald nor mycht nocht intromette therwith.'

Next day (14th July) La Bastie, though he was the only representative of the temporal lords-regent in attendance, was prepared to execute 'ony thing that the lordis will deliver

¹ *Acta Dom. Conc.*, 13th July.

² 'Law' deleted.

he suld do tuiching the convocatioun of the townschip of Edinburgh and to leif na thing undone for the gud public of the realm and justice.' Whereupon the Clerk Register protested in the name of the chancellor, prelates, and other spiritual men, 'that thai wald nocht consent that na blud followit on the personis at maid convocatioun in Edinburgh apone the chancelar.' The following ordinance was then adopted by the Council :—

'We do zow to wit that my lordis regentis with the avis of the lordis of counsale has for certaine causis moving thaim divisit and ordanit the provest and ballies to remane in ward for certane tyme in sic placis as thai think expedient, and becaus the toune in the meyntyne is desolat of reularis, the saidis regentis and lordis has divisit and deput James Prestoune, balze, Patrick Baroune, Williame Carmichell, Johnne Hammiltoune, Adam Stewart, and Edward Litle to have the reule and gyding of this toune during the tyme that the said provest and balzeis sall remane in ward, and ordanis thame to reule the toun and put justice into the samin and do ther besines to expell the pestelence and hald the toun in justice, pece, and rest. Tharefor we command and charge all burgess craftismen and utheris inhabitantis this toun that thai reddely intend, ansuer, and obey to the saidis persounis in the administratioun of justice and in all utheris thingis concernyng the common weile of the realme and of the said toune undir all the hiest pane and charge that eftir may follow.'

At the afternoon sederunt the lords decided 'that the mater of insurrectioun maid be the communitie and inhabitantis of Edinburgh be continewit the punyssioun of thame to ane certane day sa that ane greter nowmer of temporale lordis may convene to the day affixt therto, and that the persounis now beand in ward within the castell of Edinburgh remain into ward,¹ [ane part therof to be lattin furth and put to

¹ 'Ward' written for 'the samin,' deleted.

fredome apoun grete soumes to entir agane at the said day to be affixt to thame therto to underly the law for the said insurrectioun, and in the meynetye that the provest and ballies tak cognition [be s]ecret information quhat¹ persounis was principale movaris and causaris of the said insurrectioun baith first and last that justice may be ministerit as sall be thocht expedient, the spirituale lordis protestand alwayis that thai will nocht consent to the punyssioun of blud, for thai will nocht consent therto, and now presentlie assignis to thaim the xxviii day of this instant moneth of Julii to compeir in the tolbutth of Edinburgh to underly the law for the said insurrectioun; and attour ordanis ane maser to pas, command, and charge Richard Wardlaw, Martyne for the wobstaris, John Cuke for the mas[ounis], and Alexander Spens.

[*On the back of the folio.*]

The thre ballies to Dunbar: the provest of Edinburgh and the thesaurar in Corstorphin: Thom Hume and Williame Ra with the lard of Spott: Thom Foular, Henry Zoung in Inche-garvy: Walter Flycht and James Litlejohnne in Blaknes: Hamilton baxter to be kept in irnis in Edinburgh castell: Johnne Cant and William Cristesoun in Cragmillar: William Gibson, George Gibson, and Stevin Bell in Dalketh: Johnne Drummond to remane in the castell of Edinburgh; and ordanis the Keparis of the Signet to direct lettres herapoun.

‘And attour that ane maser pas, command, and charge Alexander Spens and Richard Wardlaw that thai pas and entir ther persounis in ward in Dalwosy, ther to remane apoun ther awin expens quhill thai be fred be the lordis of consale; and that the said Johnne Cuke, masoun, and Martyne, wobstar, to entir ther persounis in the castell of Sanctandrois, ilkane of thame within xlviii houris eftir thai be chargit therto, under the pane of putting of thame to the horne.’

The cause of all this trouble is not stated; but it was pro-

¹ These lines deleted.

bably due to a decret given by the Lords of Council on 7th July, for which the Chancellor, as president of the court, was held mainly responsible. A ship laden with timber had come into Leith, and the treasurer of the burgh of Edinburgh, according to use and wont—or at least according to the right which the community claimed—took over the cargo with a view to sale. Robert Barton, the Comptrollar, indweller of Leith, removed some of the wood on the ground that he was acting for the Crown and required the material. The lords supported him, to the great indignation of the burgesses of Edinburgh, who apparently thought that there had been some failure to distinguish clearly between what Barton was doing as Comptrollar, as a man of Leith, or in the way of private enterprise.¹

This outburst against the Chamberlain—Lord Fleming, who succeeded Home—and the Chancellor, is mentioned but not explained in two remissions subsequently granted by James v., after he assumed personal government, to the community of Edinburgh.² Doubtless the execution of Home, who had been provost before he rebelled, had something to do with the matter; so late as 1521 there were those who thought that the heads of Home and his brother might be removed from the Tolbooth end, while others regarded them as a salutary warning.³ It was this riot which led to Arran's tenure of the provostship,⁴ and ultimately to the fray between the Douglas and Hamilton factions, known as 'Clean the Causeway.'

THE KING AT CRAIGMILLAR

In August the Council had to give its attention to a matter of a sort which did not usually exercise this august assembly.

¹ *Records of the Burgh*, i. 168, 180, 192.

² *Ibid.*, i. 224; *Charters and Documents*, 205.

³ *Records*, i. 207.

⁴ Arran was now married to the Chancellor's niece.

‘The lordis ordanis and thinkis expedient that becaus thair is ane noys and murmur risin that ane child suld have bene into the castell within this twa dayis bigane quhilk is fallin sek and is suspectit to be the boche, that therfor the kingis maist noble persoune be translat to the castell and place of Cragmillar, ther to sugeorne and remane for viii dayis or x quhill it may be considerit be the saidis lordis gif the said child be infectit in the pestelence or nocht, that thai may provid ane sur way for the keping of the kingis grace.’¹

As to the malady here described as ‘the boche,’ it would be indiscreet in a layman to speculate. The word ‘boiche’ is defined by Jamieson to mean ‘a short, difficult cough’; and it is pointed out² that at the present day poor people in Edinburgh employ ‘bock’ occasionally in the sense of ‘cough,’ as well as with reference to nausea. ‘Boiche’ and ‘bok’ are treated as distinct by Jamieson and the *English Dialect Dictionary*: that is a point which must be left to philologists. ‘Boiche’ is found in the burgh records of Aberdeen, under the year 1534, expressly used of an epidemic which then prevailed;³ but Dr. Gilbert Skene, whose tract on pestilence⁴ was written about 1568, does not appear to throw any light on the matter. It is possible to suppose that whooping-cough was in question in the present instance: but it may be well to draw attention to an interesting section in Hecker’s *Epidemics of the Middle Ages*.⁵ He tells us, on the authority of a medical observer named Tyengius, that in January of this year 1517 an epidemic broke out in Holland, an ‘infectious inflammation of the throat,’ and was found shortly afterwards at Basel. Hecker identified it with ‘pharyngeal croup,’ which at that time he regarded as the ‘diphtheritis’ of the nineteenth century. It reappeared

¹ *Acta Dom. Conc.*, 4th Aug.

² By Dr. Harry Rainy, to whom the writer submitted the question.

³ Jamieson, *sub voc.*: there was a word ‘botch’ in England, denoting a tumour, but a Scot would hardly spell it ‘boiche.’

⁴ Bannatyne Club.

⁵ English translation, 207 ff.

in 1557 at Alkmaar, near Amsterdam, and the symptoms were described by Forest, himself a sufferer. 'The complaint,' says Hecker, 'was increased still more by a tight convulsive cough.' He classes the epidemic which appeared in Holland in 1517 with the catarrhal fever or 'influenza.' 'The English sweating sickness of 1517¹ made its appearance, not alone, but surrounded by a whole group of epidemics,' and 'these were called forth by general morbid influences of an unknown nature.' The brisk shipping trade between Leith and the Continent lends interest to the suggestion.

On 7th August it was decided that the King should remain in Craigmillar and 'ly in the toure therof' until the lords were further advised, 'becaus it is undirstand to the saidis lordis that the toune of Edinburgh is sumpart dangerus of pestilence.'

James remained at Craigmillar till about the end of August, as we may infer from the fact that Ruthven was on duty at Edinburgh Castle by the 28th.² The place was not safe enough to justify any unnecessary extension of time; for we hear that La Bastie had to attend to the gates, and, in particular, ordered two 'gret lokkis and keyis with slottis and stapillis' for the King's chamber.³

ARRAN BECOMES PROVOST

The murder of La Bastie in this September was the beginning of serious trouble. After the execution of Home, Albany was not inclined to run risks on the east border, and had appointed the Frenchman to rule, partly in order to avoid the necessity of selecting any of the rival Scottish lords. Now, however, Arran was chosen by the Council to settle affairs in the Merse, and the Douglasses were offended. Among certain persons who were in ward in Edinburgh Castle we find

¹ This became rampant in London in July.

² *Treasurer's Accounts*, v, 129.

³ *Ibid.*, 130, 148.

George Douglas, the younger brother of Angus. On 4th October there was a discussion 'tuiching the delivery of George of Douglas furtht of the castell of Edinburgh, becaus the capitane therof allegis that the kingis persone being therintill may nocht be suyrly kepit, sic wardouris being in the said castell.' The first arrangement was that Douglas should be in charge of Morton at Dalkeith; and the Chancellor took instrument that Gavin Douglas, George's uncle, 'was content and satisfyt of the promitt maid to him be the saidis lordis tuiching the delivery of George of Douglas furtht of the castell of Edinburgh, and was content that he suld be deliverit to the erle of Morton.' A few days later plans were altered, and the prisoner was deposited in Blackness under the care of Sir Patrick Hamilton.¹

The control of Edinburgh and the security of the King's person were naturally matters of prime importance for the Hamilton faction. Arran became provost, and a Hamilton was found among the burgesses to act as president under him. The community expressed some apprehension that its rights and privileges were likely to be infringed, for the president obtained an assurance that the Council did not intend anything of the kind.² Yet Arran treated the town in a somewhat high-handed fashion. In March his operations for the pacification of the Merse required fifty 'culverenaris with culveringis,' to be furnished by the burghs south of the Month; and, as there was no time for a convention, Edinburgh was directed to contribute the initial sum necessary, and recover their proportions from the places liable.³

¹ *Acta Dom. Conc.*, 4th and 8th Oct. On 27th Feb. 1517-8 (*ibid.*) he was on Inchgarvie, and was about to be handed over to Albany in France. He was still in France in Oct. 1519 (*Letters and Papers*, iii. 481).

² *Records*, i. 173; *Acta Dom. Conc.*, 21st Nov. On 12th Feb. 1517-8, John Hamilton, the president, took instrument before the Council on behalf of himself and the bailies that Arran commanded them, at the Queen's request, to liberate a woman named Petticruf, implicated in false coining. Cf. *Acta Dom. Conc.*, 8th Sept. 1517; *Treasurer's Accounts*, v. 148; *Records*, i. 190 (misdated 1519).

³ *Acta Dom. Conc.*, 2nd March.

When the Council sat for public business in June 1518, the first matter which came up was the preservation of tranquillity in the town. 'During the tyme of the regentis and lordis of counsale remanyng here for administratioun of justice' no weapons were to be carried without licence, by day or night. For a first offence there was to be 'tynsale of ther wapinis'; for a second, 'the pane of deid at the regentis will.' The magistrates were charged to carry out the order; and a fortnight or so later 'the precedent in name of the haile toune of Edinburgh askit instrumentis that the lordis had commandit thame to put the proclamatioune tuiching the beiring of swordis and raising of discord within this toune to executioun in all punctis as thai will ansuer to the kingis grace therapoune.'¹ This action, no doubt, had to do with an encounter between Rothes and Lindsay, who, Lesley says, came to blows on the 17th about 'authoritie and balzerie of Fife.'

There seem to have been constant encounters in the streets, particularly when the lords and their households were in residence. Besides, the Queen had an action in July with the Abbot of Holyrood touching the New Haven, and the Chancellor insisted that the townsmen of Edinburgh should pay him, as representing the King, the sums in which they were obliged for the maintenance of that harbour, which, he said, was 'falzeit' in their default.² Later in the year the operations of Robert Barton and the men of Leith were again under review.³ Whatever were the causes of disturbance, matters did not improve; and in December the proclamation anent weapons was renewed.

'We do you to wit that forsamekill as it is divisit and ordanit for eschewing of truble and brek within this toune of Edinburgh be oure soverane lordis liegis resorting to the samin, tharefor that na maner of persoun oure soverane lordis legis tak apoun hand to beir wapinis invasif within this toune

¹ *Acta Dom. Conc.*, 12th and 28th June 1518.

² *Ibid.*, 14th July.

³ *Records*, i. 178.

of Edinburgh except the provest, precedent, ballies, or officaris of the said toun, nor that nai [persouns] persew utheris in the samin for auld feid or for new undir the pane of eschet-ing of thair wapinis and punising of thair persouns at the regentis will, and als that na lord, baroun, nor uther persouns be fundin apoun the gaite eftir that nyne houris at evin be strikin without thai have effectuis and necessar erandis and that thai warne the precedent, balzeis, or officeris of the toun the caus of thair being furth of thair luginis, and desir ane officer to pas with thaim, and that the provest, precedent, and ballies deput twa persouns to walk apoun the gaite and considir gif ony persouns dois in the contrair herof, that the saidis waches command thame to pas to ther luginis in our soverane lordis name : the quhilk and thai refus, that thai advertis the provest, precedent, and balles of the persouns gangand in contrair herof, and that thai send ane officer or servand to thame and charge thame in the kingis naim as of before to pas to ther luginis and leif the gaite as thai will ansuere apoun ther charge ; and gif thay refus to do the samin that the provest, precedent, or ballies caus the nychtburis of the toun to convene be ringnyng of the common bell and apprehend and tak the saidis persounis brekand this proclamatioun and put thair personis in fermance to be punist for ther contemptioun as efferis ; and gif it happinis the saidis provest, precedent, or ballies to mak slauchter, mutilatioun, or blud apoun sic persouns inobedient, the samin sall nocht turn thame nor na nychtbure of the toun to prejudice, nor na cryme nor accusatioun sal be input to thame therfor in na tyme to cum.' ¹

PESTILENCE

It is interesting to note that epidemic disease was so prevalent in the town during the summer of 1517 that the

¹ *Acta Dom. Conc.*, xxxii. 70.

municipal authorities were forced to issue sanitary regulations, among which 'clenge the calsay'¹ must have become a very familiar one. The nickname given to the great street-fight of 1520 had a homely and an obvious point.

In the summer of 1519 there was another epidemic visitation. On 20th June the Session for civil causes was continued to October, partly because 'ther is apperance of breking up of this contagious seiknes of pestilence within this burgh of Edinburgh and in divers placis within the town of Leitht.'² An ordinance by the town in August, insisting upon the use of lanterns by those who were in the High Street after nine at night, and forbidding any but officers to be abroad with weapons after eight, also stated 'that na maner of persouns quhilkis cummis fra suspect places or that is infectit with contagious seiknes of pestilence cum within this burgh in tyme to cum under the payne of deid.'³

THE KING

Lord Ruthven took upon him to remove the King for safety to Dalkeith, and wrote to the Council explaining the circumstances, with some reflection upon the municipal authorities. The matter was discussed on 27th October, the same day, as we shall see, on which serious differences between Arran and the town of Edinburgh came up for consideration. It may be suspected that Ruthven's action was not entirely due to fears for the King's health. About the middle of this month the Queen, who had quarrelled with Angus, and had been on more friendly terms with the Hamilton faction, resolved upon a reconciliation.⁴ The whole situation threatened a revival of Douglas influence; and, as Arran was personally unpopular in Edinburgh, there was some danger of an attempt to obtain possession of the King's

¹ *Records*, i. 177.

² *Acta Dom. Conc.*, 20th June.

³ *Records*, i. 190.

⁴ *Letters and Papers*, iii. 482.

person. This fact lends additional significance to the proceedings of the Council. Ruthven was one of those who received Margaret at Edinburgh 'with great triumph, in shooting of guns, and great melody of instruments playing.'¹ Angus himself was at Dalkeith shortly before this sudden removal of the King.² It would appear from the following minute of Council that Betoun and Forman—the latter took the Queen's part—were wise enough to see that the royal person must be kept out of reach of the rival factions. That consideration may be easily detected.

'Anent the writingis send be Williame lord Ruthven to the lordis regentis and of counsale, schawand how the caus of the moving of the kingis grace furth of the castell of Edinburgh to the castell of Dalketh was for a sudden affray, becaus the toun of Edinburgh was unreulit of the pestelence and uthir seknes, and how the toune of Dalketh is brokin or twa or thre placis and part put furth and the housis closit, sa that he hard na skaith sen the kingis grace removit to Dalkeith, desirand the lordis to provid a sure and convenient way for the keping of the kingis persoune in the castell of Edinburgh, like as was devisit and decretit in the parliament be my lord governoure and lordis forsaide, like as at maire lenth is contenit in the said writing; with the quhilk my lordis regentis and of counsale, beand at lenth avisit, ordanis that ane writing be maid undir the signet direct to the lord Ruthvene and utheris havand the keping of the kingis grace, desirand thame that gif thai knaw ony danger of pestelence or uther wayis aperand, that thai certify my lord legat,³ chancelar, and lordis forsaide and avertis thame thaireof; and incontinent thaireftir thai sall cum and convoy his maist noble persoune to the castell of Alway or ony uthir unsuspect castell quhar the saids lordis ples and quhar his grace may be surelie keptit without danger; and the keparis of him to have thair awin offices eftir the forme of the act maid therupoune before my lord

¹ *Letters and Papers*, iii. 482.

² *Ibid.*, 481.

³ Archbishop Forman.

gouvernoure in the place or castell quhar he sall happin to be translatit to.'

Upon this decision, William, Master of Ruthven, on behalf of Lord Ruthven, his grandfather, 'desirit that the regentis and lordis of consale wald find ane convenyent way how the kingis grace mycht be kept surelie in the castell of Edinburgh without danger or perele of seknes,' and stated that Lord Ruthven would do 'all the service he mycht eftir the forme of the act and decret maid for the keping of his maist noble persoune.' A communication from Ruthven himself was presented 'schawand in quhat staite the place quhar his grace was stud in, insafer as he knew.'

Eglinton and Creichtoun of Sanquhar protested that if the King was removed from Edinburgh Castle to another place, it should not prejudice them in respect of the surety they had given on behalf of the captain, 'sen thai war bund allanerly for him bot for the keping of the castell of Edinburgh and nane uthir castell that the kingis grace suld happin to be transportit to.' The Master of Ruthven protested that 'quhat aventur or dangeir that happinit to his grace' in the event of removal should not turn to the prejudice of his grandfather or himself in respect of life, lands, and goods; because they were ordained only to keep the King within the Castle of Edinburgh.

'CLEAN THE CAUSEWAY'

The question of the King's safety was complicated, as has been said, by friction between Arran and the burgesses of Edinburgh, some of whom proposed to appoint a new provost in the person of Archibald Douglas of Kilspindie, uncle of Angus. Lesley's narrative sheds some additional light on the matter. Arran, according to him, had assisted in conveying James to Dalkeith, and then returned 'to wait on his office' as provost. He found himself forcibly excluded

from the town; and in the course of a scuffle Sir James Hamilton slew a burgess whom he regarded as the author of the trouble.¹ This is evidently the second offence mentioned in the two remissions subsequently granted to the town and already quoted. Arran seems to have joined Betoun and his other friends at Stirling. The Hamilton faction, predominant in the Council, could not afford to let the control of Edinburgh pass out of their hands; and, at the same meeting at which the King's residence was discussed, the burgesses were told what was expected of them.

'At Striveling the xxvii day of October ther [*sic*] of God 1^m v^c and xix yeris. Anent the actioun and debait that hapnit betwix my lord of Aran, regent, lewtenent of the Mers and Lothian, and certane personis of the town of Edinburgh contenit in his bil of complant, the lords² . . . has divisit and ordanis that lettres be writtin to charge Robert Logane, Johnne Yrland, William Carmichel, and Master Adam Otterburn to entir thar personis in ward in the Castell of Falkland, thar to remane apon thar awn expens quhill thai be fred be the lordis regentis; and als ordanis that Archibald Douglas leif the office of provestry [for this yer]³ in the handis of the town, and inlykwys the ballies and all uther officiaris at war chosin at this tyme for this yer. And the saidis lordis makis thaim request and instance to cheis the said erle of Arane for this yer in thar provest, thai haifand free electioun to cheis ane president with all uther officiaris quhen thai pleis for this said yer, [sa that thai be na clannit men presedent]⁴ the personis billit be my lord Arane at this tyme haifand na vote in thar electioun of the saidis officiaris; and the said erle of Arane, provest, to execute his office in justice doing in thar commone materis of the town as sal be sene expedient be the lordis regentis alanerly; and ordanis that eftir thir

¹ *Historie* (Scot. Text Soc.), ii. 174.

² A special committee of Council appointed for the case.

³ Deleted.

⁴ On margin.

four personis be fred of ward, that thai, togidder with thir personis, that is to say Archibald Douglas, Robene Brus, [Maister Adam Otterburn],¹ John Carmichell, Master Francis Bothvile, Adam Hoppar, Henry Wilsone, Nicholl Carncors, Master James Halyburtoun, Watt Scott, George Leith, James Baron, Thome Foular, and William Lauder cum in thar maist humile maner befor ane part of my lordis regentis and of consell in the parroche kirk of Edinburgh and ask him for-gifnes of the displesour done to him. And all this to be done but prejudice of the richt of the actioun of owthir of the partys alanerly for the gud of pece and concord. And forther the saidis lordis giffis credence to my lord of Dunkeld and William Scott of Balwery, knycht, in the said mater.’²

This was strong dealing. It would appear that Douglas was already acting as provost; and the town showed fight. On 10th November a voluntary contribution was invited in order to maintain the action, which seems to have been connected with the vexed question of goods coming in at Leith. It is significant that on 19th November the Edinburgh people minuted a statement of their rights, and on the following day formally appointed Douglas to be provost for the ensuing year.³

When the Council, which was now sitting at Linlithgow, learned that its ordinance had been ignored, a fresh effort was made to reach agreement. The Archbishop of St. Andrews, the Bishops of Aberdeen and Orkney, the Archdeacon of St. Andrews, and the Dean of Restalrig were sent as a deputation to request that Archibald Douglas should be removed from the provostship. Arran was no longer pressed for re-election. The new magistrate was to be ‘ane uthir ganand persoune of the nychtburis of the toun’—not, of course, one of the offenders mentioned in the Act of Council. Douglas refused to resign. Gavin, Bishop of Dunkeld, his brother, said he would not take part in ‘ony brokin or unjust actioun,’ and

¹ Deleted.

² *Acta Dom. Conc.*, 27th Oct.

³ *Records*, i. 192-3.

Archibald had a 'just actioun.' Otterburn pointed out on the town's behalf that they had chosen their provost 'eftir the forme of ther auld privilegis,' and that they were simply defending these in standing by their man. They were ready to offer any guarantee for Arran's personal safety, if he came to Edinburgh, and were prepared to assist in maintaining the King's authority; but—and this supports the conjecture that the fundamental grievance was the business of the Comptrollar and his Leith friends—if the lords would not come and do justice to the lieges, then the town of Edinburgh could not be held responsible for the consequences.¹

The failure of negotiations led to an open split in the Council. Though there were important deliberations afoot on international questions, and envoys from England and France appeared at Stirling, Forman, Angus, Gavin Douglas, and the Bishop of Aberdeen refused to attend.² Betoun had no doubt informed Albany of the quarrel. On 21st February 1519-20, a peremptory message was delivered that the Governor would have no Hamilton or Douglas in the provost's place: he had directed his secretary and the Abbot of Glenluce to name three persons, of whom one was to be selected immediately. After some little delay Robert Logan of Coitfeild was appointed. Betoun intervened to soften Albany's demand, sending a message 'that he was content that the toun sould cheis ony nyctbour of the samyn quhame thai plesit,' and that he would arrange 'ane finall concord' before Arran entered Edinburgh.³

This was on 30th March. It seems to have been decided to hold sittings of Council in the town—one of the grievances had been that the lords did not come to minister justice—but the atmosphere was by no means clear. On 26th April four men 'with halbertis' were appointed to attend the provost 'for stanching of inconvenientis that may happin

¹ *Acta Dom. Conc.*, 26th Nov.

² *Ibid.*, 15-17th Dec.

³ *Records*, i. 194-6.

within this toun this troublis tyme'¹; and on the last day of the month there was an 'inconvenient'—'Clean the cause-way.' That conflict is remembered chiefly for the *bon mot* recorded by Pitscottie, when Gavin Douglas said to Betoun, 'I persave, me lord, your conscience be not good, for I heir thame clatter.' Whether the Bishop of Dunkeld kept a better conscience is not here in question.

THE CAMPAIGN OF 1523

We are not concerned with the intrigues and troubles which continued to prevail in Scotland during the Governor's absence, chiefly because a considerable gap in the records of Council leaves us without documents illustrative of Edinburgh affairs. In 1517 Albany had promised to return in six months; but the improved relations between Francis I. and Henry VIII. led to the Treaty of London in 1518; and, however much the Scots might feel the need of a strong rule, the French had nothing to gain by allowing the Duke to go. The election of the Emperor Charles V. in 1519 was both a rebuff and a threat to Francis. The outbreak of war was for a time averted by the diplomacy of Wolsey; but a coalition between the Pope, Henry, and Charles in 1521 made it clear that Albany would be useful and even necessary in Scotland. It was his intention to organise an attack upon England; it was the determination of the Scottish lords, who remembered Flodden, that the attack should not be made, all the more because Francis had failed to send effective assistance. So the Governor, unable to achieve more than a demonstration in force on the Solway, returned to France in 1522, with clear intimation from the Scots that his authority would be forfeited unless he reappeared by 15th August 1523. Henry, of course, sought to play upon the anti-French sentiments entertained even by some of those who were opposed to England; but he could

¹ *Records*, i. 196.

do little with Betoun, and became convinced that he must make a serious attempt to cripple Scotland. An utterance of Thomas Cromwell is recorded, that 'the King should devote all his efforts' to the subjugation, and 'to join that realm to his, so that both they and we might live under one obeisance, law, and policy for ever.'¹ Wolsey determined to let the French war rest for a year and concentrate against the Scots.

The gravity of the prospect did not escape the burgesses of Edinburgh. Master Francis Bothwell, acting as president under Alan Stewart—whom we seem to have met as the 'Captain of Milan'—submitted a petition to the government in the spring or early summer of 1523, setting forth the fears that were entertained.

'My lordis regentis and of counsale, unto your lordshippis humilie menis and schewis we your servitouris the provest, ballies, counsale and communitie of the burgh of Edinburgh, that quhair as your lordschippis knawis our enemyis of Yngland ar gaderit stark at the bordouris with gret munitioun of weir and hes destroyt and cassin down divers castells and strenthis, and as is presumyt purposis to continew and do the harme thai may to this our soverane lordis realme, and namely to distroy this toun of Edinburgh, quhilk is principale of this realme, and wer it distroyt, as God forbeid, the scaith thair of suld be infinyte and the hayll realm suld be in the mair danger to be distroyt or conquist. Heyrfor we beseik your lordschippis, sen ye are now assemblyt for the wele of the realme, that ye will be your wisdomes provyde gude ways for defence therof, and namely to salf this toun, gif the army of Yngland cumis with ther munitioun to invaid the samyn, quhilk, as we understand, can nocht be debatit aganis the power of Yngland without the power of this realme be assemblit therto; and gif it plesit your lordschippis or the maist part tharof to remane heir with your houshaldis and caus warnyng be maid be our soverane lordis lettres till all the laif of his

¹ *Archbishops*, iii. 95.

liegis to be reddy apone ane houris warnyng with vi dais vittale to cum forwart to your lordschippis with all thair power to resist our enemyis and debait the realme, we traist it suld gif terror to our enemyis and gret comfort to our soverane lordis liegis, and your lordschippis suld have honour tharthrow ; and your ansuer humilie we beseik.' ¹

The English adopted a deliberate policy of 'frightfulness' and devastated the borders. Albany and French assistance were to be excluded by strict blockade: Betoun was to be persuaded of his helplessness and driven to desert the Duke: if the Scots determined to fight, they were to be provoked to take the offensive and fight at a disadvantage.

These Fabian tactics, recommended by Wolsey, were not patent to the Scots themselves, who were in constant dread of a formidable invasion. On 15th May the Council made arrangements 'for resistance of the auld enemyis of Ingland that now lyis in garnisone on the bordouris and has done gret scaith divers tymis, and now laitly in the distructioun of the strenthis and fortalicis of the Mers, and awaytis to do mair.' The first provision was for secret service, so that the time and place of invasion might be known beforehand. The man 'that bringis the first sickir effectuale warning to the bordouraris quhar the Inglismen sall cum in of ther incumin, he sall haif for his labouris ten angell noblis realy pait to him, with thankis and uther humaniteis to be done to him be my lord governour and lordis regentis and of counsale.' The Scottish commander was to remain at Edinburgh or Haddington, where he might be found by messengers. With regard to Lothian—that was the sherifdom of Edinburgh principal and the constabulary of Haddington—it was to be divided into four parts, under the captaincy of Morton, Borthwick, Hay of Yester, and the Master of Hailes, by parish kirks, or as they thought expedient. This measure was intended to accelerate concentration at the threatened point. Under

¹ *Acta Dom. Conc.*, xxxiii. 208.

these chiefs there was to be at least one captain in each parish to bring out the fencible persons, horse and foot. The Master of Hailes was to 'hald tua personis apone the hecht of Dunderlaw and mak thaim ane luge ther with stuff besyde thaim to mak balis of fire.'

'Item, it is ordanit that the provest, ballies, and counsall of Edinburgh mak thair four ballies to have ther toun dividit in four quarteris and ilkane of thaim to haif ane quarter, in the quhilk quarter ilk balze sall mak subdivisioun under him, four persouns in thir quarteris, and ilkane of thaim to haif ane part of that quarter and to bring furtht the folkis within thir quarteris and partis, and to gif compt and ansuer for thaim, and in cais thai cum nocht the saidis ballies to rais and inbring ther eschete.'

'Item, that the lard of Lestalrig and his balzeis of Leith mak four capitaneis in the toun of Leith, and divide the toun amangis thaim for ther furtht bringing with the samyn ordour as Edinburgh sall cum; and that the abbot of Halyrudhous mak tua capitaneis within his barony of Brochtoun and his boundis ther to cum forward, quhilk sall be haldin to mak compt in maner forsaide, and quha that failzeis ther eschete to be inbrocht in maner forsaide.'

The King was still in Edinburgh Castle, and at the time under the charge of Borthwick. Erskine took over his custody on 1st August, and carried him for safety to Stirling a week later.¹ The intention to remove James explains a special paragraph in the arrangements for defence. Erskine was to retain in all sixty persons from Stirlingshire, including landed men who were his tenants, in order to provide a sufficient guard.²

The elaborate arrangements for the rapid concentration of the Scottish army were being carried out from the middle of May till the middle of June. Apparently no steps had been taken to put Edinburgh Castle in a proper state for defence,

¹ *Exchequer Rolls*, xv. 90-1.

² *Acta Dom. Conc.*, 15th May.

possibly because the King was to be removed to Stirling. James Creichtoun, who had succeeded his father as Captain, drew the attention of the reassembled lords to the omission, and was supported by Huntly and Arran in affirming the lack of gunpowder and provisions.

‘My lordis of counsale, unto your lordschippis humilie menis and schewis I your servitor James Crechton of Cranstoun Ryddale, capitane of the castell of Edinburgh, that quhairas your lordschippis knawis our enemyes of Yngland daly invadis this realm, and hes distroyt and cassin doun divers castellis and strynthis therof and waistit the bordouris, and as is verely presumyt ther purpos is to persever and cum forward to Edinburgh and invaid the samyn and thai be nocht resistit; and I have the cur of the said castell and it is nocht providit sufficientlie to resist the power of Ingland and it be persewit be thame: heyrfor it will pleis your lordschippis, sen the castell of Edinbrught is the principale strenth of this realme, and our soverane lordis register is therin, and rycht necessar to be kepit for the wele of the hale realme, and your lordschippis hes the cur therof in absence of my lord governour during the the kingis tendir age, that ye will caus the said hous be providit of men, artailzery, powder, gunnaris, werkmen, vittle and uther stuff necessar sufficientlie for defence of the samyn and the resisting of our saidis inymyes, gif thai cum to persew and invade the kingis hous and toun of Edinburgh. And your lordschippis doand this, I sall endeavour me at all my power to keip and defend the samyn to the honour and profett of the kingis grace and his realme; and als that ye will caus the comptrollar to mak me payment of my pensioun for keping of the said castell restand of twa termes bigane with this next witsonday terme extending in the hale to iiic merkis to furnys my expensis, watchemen, and servandis in the kingis service in his said hous, and failzeing of the custumis of Edinburgh that he make me be payt of the reddyest males and dewiteis of Fyff or utheris the kingis landis,

sen it standis now on neid. And your ansuer humilie I beseik.' ¹

As a result of this petition, which seems to have been composed before Whitsunday, some measures were taken. On 1st July, we learn, Betoun was summoned by the lords 'to have his avise in furnissing of the castell of Edinburgh'; and a garrison of four hundred men was provided.²

Invasion was expected about 24th June; and Robert Barton was ordered to keep his 'litill gallioun' in readiness to carry despatches to France. The Scots were nervous. It was not certain that Albany would return; and the French were inclined to lend assistance only if they had reason to suppose that the defence would be of the offensive sort. Their desire for effective action and the Scottish recollection of Flodden explain the elaborate futility of the operations which followed.

On 3rd August it was known that the Duke would come, and the lieges were told to be ready. A committee of Council on munitions was directed to begin sitting in Edinburgh, particularly to arrange who should be exempted from active service in order to conduct the transport.³ Much damage had been done on the march to the Solway in 1522, resulting in a 'gret derth';⁴ and the lords were determined that the army should now be systematically supplied.

Still no serious invasion was made. It was expected again in September; and, as Albany had not yet appeared, Argyll was appointed to the general command.⁵ Suddenly, however, the Duke arrived at Dumbarton,⁶ and a great bustle of preparation began.

The arrival of Albany was not a day too soon. There was imminent danger to the party of France. The Abbot of

¹ *Acta Dom. Conc.*, xxxiii. 209.

² *Treasurer's Accounts*, v. 215-16.

³ *Acta Dom. Conc.*, 3rd Aug.

⁴ *Ibid.*, 12th Oct.

⁵ *Ibid.*, 22nd Sept.

⁶ *Treasurer's Accounts*, v. 223. It was known on 25th July that he was coming (*ibid.*, 217).

Kelso, in a picturesque letter to Lord Dacre, described the state of feeling as it appeared to him. The Council, he said, met on 31st August to discuss whether the King should not be placed in power and peace made with England. James wrote with his own hand, asking to be set free: the Queen came to the Tolbooth, and implored the lords to consent. When French ambassadors affirmed that the Governor would appear within a week, Margaret retorted 'Tidings of the Canongate!' But the Council would not listen. They sent two temporal and two spiritual lords—one of the latter Alexander Myln, future president of the College of Justice—to entertain the King with field sports at Stirling, much to the disappointment of the commons, the abbot asserted. Then 'our daft onnaterall lordis and missavisit counsell, seducit with France,' postponed the liberation till Michaelmas, though they were unanimous that, if Albany had not arrived in the meantime, they would make peace. The French troops who were already in Scotland had no pay but what Betoun could dispense out of the vacant benefices and abbeys; 'and sic abbayes maun susteyn them to be lownis and nyght walkaris, to play at cartis and dyis, and ilk ane uther nyght thre or four of them stikit and gorrit.'¹ The abbot thought that soon they would be forced to leave the country. Their subsequent proceedings in Edinburgh justified his expectations.

The first business was to confirm the date of assembly, which had been tentatively fixed for 19th October. Then the burghs were told that they must provide 'xii^m breid, with aile, flesche, fische, buttir, cheis, and uther stuff equevalent therto,' for which they would be paid. At their own expense they were to furnish 'xv^c cariage hors and iiij^c peioneris'; in consideration of which they could 'remane fra the host and army.'² To the churchmen it fell to send oxen for the artillery, according to their individual assessment.³ An Act

¹ *Letters and Papers*, iii. 3313.

² Cf. *Treasurer's Accounts*, v. 217 ff.

³ Cf. *Acta Dom. Conc.*, 3rd Aug.; *Treasurer's Accounts*, v. 215 ff.

was passed securing to widows and orphans of those who might fall a five years' interest in any 'takkis or malingis.' Every Scotsman was to wear on his person a white St. Andrew's cross—both before and behind, a revised order said ¹—and that upon pain of death.²

The presence of the French troops raised questions of exchange. On 5th October it was ordained 'that the crown of wecht of the sone fra thin furtht be put to xx s. and haif cours in tyme to cum in all partis of this realm for xx s.; and in lykwys the crown of the king, quhilk gevis xvii s. have cours in tyme to cum and be put to xix s.' On 16th October the Council, 'forsamekle as yisterday it was proclamit that the greit blank suld pas and have cours for vi d., notwithstanding thai ar refusit and therthrow the pepill abstenis to bring furnising and vittalis to the town,' advised Albany to depute two persons to 'ressave the said greit blankis and gif thaim chang therfor of Scottis money or crownis of wecht.'³

Another recommendation was intended to meet the difficulties of the market-place. 'The Franche men cumis in sic multitude to the mercat to by thar vittalis, quharthrow the pepill complenis that ane part payand, ane uther part passis away with thar stuff unpait.' The Governor was to provide one steward for every ten men, and the captains could thus get at the culprits.⁴

A few days later the lords returned to the question. White money was 'rycht scant for wissilling⁵ of gold and making of change amangis oure soverane lordis liegis, quharethrow the comounis of this realme and Franchemen cumyn heire with my lord governour can nocht be eselie servit in bying of vittalis and utheris necessaris.' The 'greit blank of France' was sixpence; the 'half blank,' threepence; the 'haile karolus,' fivepence; the 'half karolus,' twopence halfpenny. The Council understood that the money 'gifis sa mekle in the

¹ *Treasurer's Accounts*, v. 227.

² *Acta Dom. Conc.*, 2nd Oct.

³ *Ibid.*, 16th Oct.

⁴ *Ibid.*

⁵ Exchanging.

partis of Fraunce and uther placis,' and ordered that it should be accepted at this rate on pain of death.¹

It was intended that the food sent by the burghs should be sold to the army 'on ane competent price, sa that thai haif na occasioun to tak the samyn at ther awn hand without payment in defalt of furnissing.'² The burghs had also to provide 'tentis and palzeounis . . . for the lugeing and keping of ther cariage and cariagemen and my lord governouris army.'³ The provost and bailies of Edinburgh and the bailies of the Canongate were 'to pas with my lord governouris furriouris and servandis, and caus thaim be ansuerit of lugeing and stabilling of men and hors in all placis convenient quhar thai may mast esely be lugeit, on ther resonable expens, without dislogeing or remufing of lordis or men of gud furtht of ther lugeingis and chalmeris that thai pay male for; and to charge all nychtbouris havand sic lugeingis and stablis convenient to ansuer to thaim therin under the pane of deid.'⁴

Evidently it was found that the distribution of commissariat arrangements among the burghs would not serve, and that the scheme must be altered. On 9th October the bailies and certain burgesses of Edinburgh⁵ undertook, 'at ther possible power' and 'thai being ansuerit befor hand of redy money,' to furnish 'xiim breid ilk day, and aile, fleshe, fishe, buttir, and cheis according therto.' The sum assigned for this purpose was 2400 'crownis of the sone of the wecht'—equivalent to the same number of pounds Scots. The contractors were to have letters enjoining people on either side of the Forth who had food-stuffs for sale to bring them to Edinburgh, where they would get 'ane competent price.' The penalty of refusal or neglect was confiscation. These

¹ *Acta Dom. Conc.*, 20th Oct.

² *Ibid.*, 5th Oct.; cf. *Treasurer's Accounts*, v. 227.

³ *Ibid.*, 224 ff.

⁴ *Acta Dom. Conc.*, 9th Oct.

⁵ John Adamson, William Adamson, James Preston, Edward Kincaid, Adam Hoppar, David Gillespy, Walter Scott, Nicol Carnecross, John Mackane, John Ireland, Mr. James Haliburton, and Gilbert Lauder.

burgesses were also authorised to buy up, at 'the mast competent price can be gottin,' all victuals arriving at Leith from France or elsewhere. If the Governor did not refund the money within the next few days, the purchasers would be at liberty to sell for their own profit.

We have an entry of 'the prycis sett apoun the vittalis during the army':—

'In the first, the price of the muton—v s.

The price of the gallon of aile—xx d.

The laif of gud fresche stuff weand xii uncis—ii d.

The pec of aitis vii d. within this burgh, and viii d. at the host.

The stane of hay—v d.'

In connection with the supply of ale, the Council charged 'the malt makaris of Leith to caus ther wifis and servandis to furnis daly x chalder of malt for redy money'; and as to the price, 'for ilk laid of malt contenand ix firloftis of grund malt the sowm of xlv s. and na mair.'¹

The arrangements for transport were as follows:—

'Patrik Baroun, ane of the ballies of Edinburgh, of his awn consent has takin apoun him the convoying of the saidis vittalis fra the said burgh to the host and army, and samekle as he ressavis of all maner of stuff to be specifyit in writt and ane tekate of his ressait deliverit be him therupoun, for the quhilk he sall ansuer and deliver the samyn to my lord governouris commissaris deput be his grace to ressave the said vittalis, takand ther acquittancis therupoun; and gif ony hapnis to be tint reft or spilt be the way be watteris or uther perell, the said Patrik doand his exact diligence apoun the keeping therof sall nocht be accusit therfor, and the said commissaris put in writt thar deliverance to have credence to ther aithis quhat thai deliver; and attour ordanis the said Patrik to haif his honest expens during the said tyme for his laubouris therintill, quhilk expens sall be furnist of the

¹ *Acta Dom. Conc.*, 8th to 10th Oct.

burrowis, of ilk ane of thame efferandly to ther rait and taxatioun. And becaus it is understand to the saidis lordis that the said Patrik may nocht beir nor sustene the hail charge in the convoying and delivering of the saidis vittalis to the army, tharfor ordanis tua wys and discrete personis to be chosin be the commissaris forsaid adjunyt to him and to pas with him to deliver the saidis vittalis to my lord governouris capitanis, as the commissaris deput be his graice therto sall ordane to dispone the said vittalis to ilkane of the said army capitanis; and that the said Patrik and personis adjunyt to [him] ressave the money in the camp fra [the] said capitanis for furnissing of the saidis vittalis and convoy the said [money] surlie to this toun of Edinburgh; and gif ther ony of the said [money be] reft fra thaim be the way, thai doand ther diligence for the . . . keping therof sall nocht be [accusit] therfor as said is.' ¹

On 15th October the lords ordained 'generall processiou to be maid and lettres to be direct therapoun to all ordinaris, that all kirkmen pas daly and the commune pepill that remanis at hame fra the host to pas and follow the saidis processiouis, prayand for the stait and prosperite of my lord governour and the army and thar returning with honour to this realm again.'²

Not the least interesting feature of this proclamation is the admission that the army was setting out to invade England. Albany had brought French men-at-arms with him,³ and some of the Scots doubtless hoped to satisfy their desire for vengeance. But the presence of French troops in Scotland did not serve to popularise the French cause, witness a complaint from the inhabitants of Edinburgh which the Council had to consider.

'The lordis ordanis that forsamekle as the inhabitantis the

¹ *Acta Dom. Conc.*, 9th Oct.

² *Ibid.*, 15th Oct.

³ The *Diurnal of Occurrents* speaks of fifty-five ships, with men, artillery, and victuals.

toun of Edinburgh quhar thir Franche men are lugit murmuris and complenis that the said Franche men waistis and consumis ther fewellis quhilk thai haif providit for ther winter provisioun, and birnis thar chyris, stulis, and insyght gudis; tharfor in safer as the saidis personis quhilkis has Franche men at lugeing will mak faitht that thai waist or distroys of thar fewell tymmir werk or insyght gudis, that the Franche men quhilkis makis the said distructioun be compellit to mak reformatioun and payment to the partyis scaithit, and counsalis my lord governour to caus the samyn to be put to executioun in maner forsaide.

'Item, it is divisit and ordanit, gif my lord governour thinkis expedient, for stancheing of misreule throw out this toun that the precedent and ballies therof sall have in cumpany with thaim xxiiii or xxx personis with halbertis to that effect that quhar thai se ony misreule in the toun committit or dune be Scottis men that thai may mak reformatioun therof, and gif ony truble or misreul be done be Franche men, to advertis ther capitanis therof, sa that thai ma caus sic truble be remedit and all the peple to leif in pece and in rest without truble or insolence in tyme to cum.'¹

On 24th October the Lords of Council, a small meeting of ecclesiastics, now that the rest were in the field, ordered the president and two bailies of Edinburgh, with the Justice Clerk and Master Otterburn, to put into execution the act made anent the malt-makers of Leith, and 'that the malt makaris quhilkis fulfillis nocht the command and charge of the said act be callit at twa eftir none to byd ane assis for ther contemptioun undir the pane of rebellious and putting of thaim to the horne.' The Justice Clerk and Edward Litle, bailie, went to Leith and had the malt-makers before them. John Balfour, George Lumly, Mathew Wrycht, and James Smyth were 'to be serchouris and se quha has malt maid, and caus the wifis of Edinburgh, browsteris, to be ansuerit therof for

¹ *Acta Dom. Conc.*, 17th Oct.

redy money conforme to the act maid be the lordis therupoune ; and gif neid beis to breik up thair duris and seik thair housis to the effect forsaid ; and als to certify the said Justice Clerk the names of thame that dois nocht thair deligence in making of malt and to have stuff redy, sa that thai may be punyst therfor.' At the same time the lords directed proclamation at the market crosses of Edinburgh, Linlithgow, and other places, charging the inhabitants of the adjoining country to 'bring thair beir incontinent to the merk at of Leith to sell apoun ane competent price, sa that the malt makaris of Leith may have redy malt . . . for furnissing of aile to my lord governouris army : with certificatioun to thame that bringis nocht ther beir . . . that the samin sal be haldin as our soverane lordis escheite ; and that the said officaris within vi dais nixt eftir thai be chargit to bring the said beir to the merk at . . . pas to ther stakkis and bernis that dissobeyis and escheite all thair beir, and bring in the samin to our soverane lordis use.' ¹

This was not the last that was to be heard of these Leith maltmen and their business. In 1526 their conduct required an Act of Parliament,² to which the following commission by the Lords of Council, on 1st June 1524, formed a prelude.

The lords, 'understanding the gret oppressioun maid daily be the maltmen of Leith apoun oure soverane lordis liegis be selling of ther malt at ane exhorbitant derth, contrar the tenour of the act of parliament, and for remeid therof, ordanis ane commissioun to be maid undir the quhite wax to James of Prestoun and Nicholas Carncors, gevand thame power and auctorite to tak inquisitioun gif ony of the maltmen of Leith sellis thair malt derrar nore the said act of parliament beiris, that is to say ii s. maire for the boll of malt nor the beir is sould commounlie for, and to mak the said act to be observit and kept in all poyntis eftir the forme

¹ *Acta Dom. Conc.*, 24th Oct.

² *Acts of Parliament*, ii. 315.

and tenour of the samin ; and gif ony of thame failzeis or dissobeyis that the said commissaris eschete all ther movable gudis to our soverane lordis use and put ther persouns in ward within the castellis of Edinburgh and Blaknes, thair to remain quhill thai be fred be our soverane lord and his lordis of consale for ther contemptioun don be thame in the breking of the said act of parliament.' ¹

On 27th October an ordinance was issued that people in Edinburgh and Leith who had flour for sale should 'reddily sell the said flour to the baxtaris of this toun for xlii s. the barell of flour, gud and sufficient stuff.' Officers were empowered to confiscate where owners refused to sell. The Town Council of Edinburgh was to 'sett ane convenient pais of the breid baith of fynes and wecht, and caus the baxtaris to observe and keip the samyn according to the price of the barell of flour.'

With a view to transport, officers were instructed to 'pas to all townis quhar ony wanys ar, baith abbais and uther placis, and command and charge thame to bring the saidis wanis furnist witht oxin and uther stuff to this burgh of Edinburgh, to ressave vittalis to be had to the army for the furnissing therof, and thai sall be weil applesit for thar said wanis and labouris, as efferis : with power to said shereffis to tak the saidis wanis and oxin of all thaim that refusis and postponis to bring the saidis wanis and oxin to this toun . . . and nocht the les to be punist for thar dissobesance.'

There was a significant lack of patriotic enthusiasm ; and the lords took steps to prevent shirking. In name of the King and the Governor a proclamation was issued 'that all maner of persouns our soverane lordis liegis now being in this town of Edinburgh pas incontinent and follow my lord governour without langar delay ; and inlikwyse that all personis quhilkis cumis eftir none pas away to morne befor

¹ *Acta Dom. Conc.*, 1st June 1424.

non, and sielik as thai cum befor none or eftir none that thai pas and follow apoun the said army with all diligence, undir the pane of lif, landis, and gudis ; and that the officaris of the toun pas, serche, and seik all sic personis remanand eftir the said charge, ilkane within ther awn quarter and bring thaim to the Justice Clerk to be justifiyt conforme to the proclamatioun maid therupoun ; and that every man quhilk has sic personis in ther lugeingis cum and advertis the Justice Clerk therof, undir the pane of deid ; and quhar ony personis beis fundin cumand fra the said army that thai inlikwyse be takin and brocht to the Justice Clerk to be justifiyt conforme to the said proclamatioun ; and lettres to be direct heirapoun to be proclamit at the merket crocis of Edinburgh, Hadingtoun, Dalkeith, Lawder, and all uthir placis neidfull.' ¹

It is plain that Wolsey was justified in believing that Albany would be compelled to 'put water in his wine.' The elaborate expedition was financed with French money: it was not supported by an aggressive patriotism in the Scots, who desired merely to make a demonstration in sufficient force to secure their own ends, and had no mind to sacrifice themselves for France a second time. The Duke's futile siege of Wark Castle and subsequent withdrawal were regarded by the English as a proof of ignominious defeat. Yet the immediate result was not the downfall of the French party. In the following January, the Council was willing to consider peace with England, if it could be had 'with honour'—which appears to mean with the comprehension of France. The object of the Scots, prompted by Betoun, was to secure the assistance of their ally and maintain some unity of government by 'the uphald and entretenying' of Albany.² But the Duke departed in the summer of 1524: the French were not fortunate on the Continent, and the regency came practically to an end. 'It is perhaps from this moment,'

¹ *Acta Dom. Conc.*, 27th Oct.

² *Ibid.*, 14th Jan. 1523-4.

says Hume Brown, 'that we may date the beginning of a distinct party favourable to an English as opposed to a French alliance.' With this epoch these notes and illustrations of Edinburgh history during ten years may appropriately close. Some documents relating to the overseas trade carried on from the port of Leith are reserved for separate treatment.

R. K. HANNAY.

SHIPPING AND THE STAPLE, A.D. 1515-1531

IN the summer of 1526 there was a curious action before the Lords of Council by Master Alexander Fotheringham, chaplain of St. Ninian's altar in the Carmelite church of Bruges. It was not the first time that this good man had found it necessary to plead for the emoluments to which he was entitled. In 1520 he had addressed a petition to the Scottish government, representing that vessels trading to the Low Countries were bound to pay him a quota, and desiring that a way might be found to exact the dues. A royal letter to the authorities in that quarter stated that 'the majority decline and will not give to Alexander, the present minister, what is his right by use and wont. It would be troublesome and expensive for him to interrupt his divine service and sue them on their return to Scotland.' The courts in the Low Countries were asked, therefore, to enforce payment at Fotheringham's instance.¹

Now, in 1526, we find the skippers of Leith contesting the claim, and insisting on a sight of the foundation document on which it was based. If payments had been made in this way for the reparation of the altar, it must have been, they urged, when the Staple was in Bruges and 'quhen the haile schippis and merchandice of Scotland resorted therto.' 'Now the staple of your merchandice is halden in uthir tounis within the land of Flandris, and na schippis nor merchandice resorts to the toun of Bruges nor getis na service at the said altar thir fourty yeiris bigane.' Evidently the

¹ *Epistolae Reg. Scot.*, i. 324,

rights of the altar had been confirmed by James IV.; and the lords upheld the claim, though the Leith skippers proved recalcitrant. There had been no divine service in the chapel for seven years, they pointed out; while the vestments and appurtenances had disappeared. Charles Fotheringham indignantly repudiated the insinuation on behalf of his brother, Master Alexander, and claimed that the three Leith skippers should be made to pay £200 each by way of damages. They continued, however, to assert that the altar had been neglected, adding that Master Alexander did not reside in Bruges—which was not surprising—and announcing their intention, if the lords did not call for the foundation document, to make an appeal to Rome. This ingenious expedient, which seems to have been carried into effect, was of no avail. A week or two later, when the skippers complained that, in spite of their appeal to the Holy See, Fotheringham had obtained letters to exact the dues, the lords were unmoved and held the writs to be in order.¹

The plea that no ships or merchandise had resorted to Bruges these forty years was not strictly true; but we know that James III. in 1473 expressed dissatisfaction with the treatment accorded to his merchants there, and sent Napier of Merchiston to arrange for a transfer to Middelburg. It appears that an agreement with Middelburg was the pet scheme of the Edinburgh merchants, who were not unanimously supported by the other burghs interested. The indefiniteness which characterises the history of the Staple in this period—if history it can be called—was due to several facts which must be borne in mind. A monopoly of Scottish trade was coveted by several towns in the Low Countries; and their eagerness was a standing temptation to our impetuous monarchs. We may assume that the considerations offered for that monopoly in the time of James V. were no

¹ *Acta Dom. Conc.*, 10th, 11th, 24th July, 17th Aug., 1526. For a reference to the 'fraucht' or quota in 1437-8, see *Records*, i. 5.

new departure. On the other hand, the Scottish merchants did not wish to tie themselves down to a particular port; and their moods were changeful. The piratical episodes, too, which relieved the monotony of peaceful commerce, led to reprisals and all manner of complications. Besides, there were the disturbances caused by the variations of diplomacy, which the scanty evidence at our disposal frequently prevents us from explaining.

With the advent of the sixteenth century, it has been remarked, 'the record of the Staple trade becomes more systematic, and less the episodic chronicle of changes for which no reason is given, and of which it is only possible to surmise the underlying cause.'¹ That history has been narrated so fully that the main facts of the period during which Albany was regent and the years immediately following are well known. Curiously enough, however, the authors of the two valuable books which appeared in 1909 and 1910 do not seem to have searched the Acts of Council for information bearing on that section of their story. There is room for a brief paper incorporating some illustrative documents and indicating the connection of events with Scottish and specially Edinburgh politics.

MIDDELBURG AND THE STAPLE

During the first forty years of the sixteenth century, as our historians tell us, three towns, Antwerp, Middelburg, and Campvere, competed for the monopoly of Scottish trade in these parts.² It was in 1541 that Campvere finally established itself in favour and became the definite seat of the Staple. Meanwhile, in 1515, Middelburg recommended its claims to Albany and received an encouraging reply. The Duke, who saw an opportunity to drive a profitable bargain,

¹ Davidson and Gray, *Scottish Staple at Veere*, p. 141.

² *Ibid.*, pp. 142 ff.; Rooseboom, *Scottish Staple*, 35 ff.

negotiated with the representatives of this town when he was in France in the winter of 1517-18. The burgh of Edinburgh, then under the provostship of Arran, played into the hands of the Governor, and despatched a letter to the Netherlands indicating that the Staple would be placed where the greatest advantages were offered.¹ Negotiations continued without result. In the spring of 1519-20, it will be remembered, Albany sent a message forbidding the burgesses of Edinburgh to elect either a Hamilton or a Douglas to be provost. His envoys were also charged with a mission regarding this matter of the Staple. 'My Lord Governor thoct it necessar that thair sould be ane stapill in the pairtis of Flanderis, quhair that Scottis merchantis mycht resort and haif ordour amangis thame, siclyke as uther natiouns hes, and desyrit that the said communitie of merchandis wald for thair part declair quhilk of thir thre townis, that is to say, Camfeire, Myddilburgh, or Byrges, ar maist convenient to the said stapill.' The answer was in favour of Middelburg.² A contract was finally concluded on 5th December 1522; but Middelburg was disposed to be cautious, and promised to pay 11,000 guildens when the Scots sent their first ships and had officially proclaimed the site of the Staple.

Meanwhile the matter came before the Lords of Council. It was stated, in a petition to them, that Parliament, for the good of the realm and its merchants, thought it necessary that the Staple 'suld be affixt in Flandris, as wes wount to be,' and that the burghs were 'richt agreeable and contentit,' as they affirmed under their common seals. Hence the Governor had given commission to Sir James Cottis, Canon of Glasgow, and Alexander Mure, Conservator of the Scottish privileges, to arrange for the Staple 'in the Fere or Myddilburgh.' They concluded with Middelburg, which town, for

¹ Two letters in the autumn of 1518 (*Epistolae Reg. Scot.*, i. 276, 284) show that Veere was in competition with Middelburg, and that Albany was fully alive to the fact.

² *Records*, i. 195.

greater security, now desired a fresh commission under the great seal for Cottis and Mure, enabling them to approve the contract definitely and give acquittances 'of sic soumis of money as salbe given to his grace or my lord governour for the gratuite of the said contract.' The Chancellor, as the petitioner stated, would not pass the commission under the seal without the advice of the lords, who were therefore asked to record their approval at once—the matter was pressing.¹

It was not, possibly, till 18th June that action was taken. On that day the Lords ordained letters to be prepared under the great seal ratifying the contract with the burghmasters and community of Middelburg, and giving the Commissioners those powers which had been sought in January.²

The meaning of this hesitation and delay is not explained. Probably Betoun was anxious for Albany's return, and was using the prospective profits of the contract as an instrument of persuasion. And there were other diplomatic considerations. The English naturally desired to interrupt Scottish trade. Wolsey complained to Margaret of Savoy, early in 1523, that liberty had been given to the Scottish merchants to frequent Middelburg.³ It is not surprising, therefore, since that town was a resort of the English, that things did not proceed smoothly. In September, just about the time when Albany appeared to conduct the expedition against England, the Council took strong action.

'Anent the supplicatioun gevin in be Robert Bertoun of Ovirberntoun, comptrollar to our soverane lord, Edward Cokburn, and William Andersone, burges of Edinburgh, that quhar eftir certificatioun maid be my lord governour be his wrytingis to the said Robert that the staple was fixt and maid in Middilburgh and [that] thai and all utheris skipparis and merchandis of this realm suld be weil tretit thar, and all privilegis and fredomis keptit to thame, desyrand ane schip

¹ *Acta Dom. Conc.*, 29th Jan. 1522-3.

² *Ibid.*, 18th June 1523.

³ *Letters and Papers*, iii. 2953.

to be send to begyn the said staple ; and thereftir thai belevand to be weil tretit send ane schip callit the Thomas chargeit with merchandice to Middilburgh in Marche last bypast traisting na truble bot to have bene weil tretit as freyndis, as said is, nevertheles the said schip and ane greit part of the gudis being therin was arrestit in the havin of Middilburgh and takin and as yit withhaldin be the Arche-duke of Flandris rent masteris of Zeland, kepand na promiss to my lord governour, and ther marinaris haldin in Middilburgh the spaice of xxi ulkis, desyrand restitutioun to thaim and our soverane lordis liegis conform to equite and justice, lyke as at mar lenth is contenit in the said supplicatioun ; the lords of counsale, being riplie avisit therapon, deliveris and ordanis that becaus the said schip callit the Thomas with certain merchandice and gudis being in hir, and that divers utheris our soverane lordis liegis ar trublit be the inhabitantis of Zeland, Middilburgh, and uthir the Archeduke of Flandris landis, that therfor quhen ony schippis or gudis of Flemingis duelling in Zeland, Middilburgh, or ony part of the said Archidukis landis, hapnis to arrife and cum within this realm or ony part or port therof, that the saidis schippis and all gudis being in thame be put under sikker fence and arrest be the kingis officiaris quhar thai sall happin to cum, quhill hail restitutioun be maid of the said schip and gudis and in likwys of all uthir schippis and gudis takin be the saidis Flemingis fra ony of our soverane lordis liegis, with the dampnagis, scaith, and interess sustenit be thaim ther-intill to gud compt, according to equite and justice.' ¹

Middelburg never succeeded in becoming the Staple port. The project of an establishment there was hindered by international difficulties. Inevitable war between Charles v. and Francis I. had broken out in 1521. Henry VIII., who joined the Emperor, sought to prevent Scotland from becoming the field of French operations, and to make the regency of

¹ *Acta Dom. Conc.*, 13th Sept. 1523.

Albany untenable. Interruption of Scottish trade with the Low Countries was not a suggestion which naturally appealed to the subjects of Charles in that quarter; yet it was an expedient which suited the policy of Henry and was recommended to his ally. Scotland was to be taught the disadvantages of her persistent friendship with France.

This episode in the history of negotiations illustrates the difficulties which Scottish and Edinburgh mercantile interests had to encounter owing to the alliance between Henry VIII. and Charles V.,¹ and it may have done something to strengthen the English party which took advantage of Albany's final departure. There is a remarkable passage in the instructions given to Marchmont Herald, who was proceeding to France in December of 1524. 'You are to inform the Most Christian King and our ally how, since war with the English began, our merchants are debarred from trade communication with England, Flanders, Spain, and other realms. These realms were formerly allied with us or friendly: now, owing to our friendship, alliance, and punctilious good-faith with the French, we are suffering heavily: these many years past a very few of our merchantmen have succeeded in eluding the enemy ships and reaching France, the only country which professes to be friendly to us. Those who most recently braved the dangers of the sea and got through to France are being detained there an unusually long time. Our forbearance in the matter is too well known to make oral or written representations necessary: we have clearly before our minds how much we have endured for our friendship and alliance with the French.'² It appears from the minutes of Council that, in the summer of 1525, William Adamson, George Henderson, Simon Clerk, and Alexander Adamson—some of them, at least, Edinburgh merchants—were granted full licence to pass with merchandise to Flanders or the lands of

¹ The historians of the Staple do not seem to take sufficient account of this.

² Original Latin in *Epistolae Regum Scotorum*, i. 354.

the Emperor. It was expressly stated in the writ that Flemings resorting to Scotland should be treated as friends.¹

This return to friendliness is significant of the change which was taking place in the attitude of the Scots before and after the final departure of Albany. It also brings into prominence an operative factor which has been unduly ignored. In the preparations for the expedition against England in 1523, as we saw, the enthusiasm of the burgesses was not high: it was maintained only so long as there was French money to be earned. The mercantile interest was being heavily hit, as Henry intended it should be; and voices were being raised in protest.

At the same time the troubles of the merchants were not by any means wholly due to international complications, but arose very frequently from the reprisals they suffered owing to the conduct of individual skippers who carried the freedom of the seas to the verge of licence. Curious illustrations of these activities occur in our records.

THE *MARTIN* OF LEITH

The marine enterprises of Robert Barton were not by any means confined to peaceful trading; and Gavin Douglas had some justification in describing him, roundly, as 'the pirate.'² In June of 1524 he was brought before the Council by the representatives of the burgh of Edinburgh. The grievance consisted in an exploit by the ship *Martin*.

'Richt reverend, noble, and mighty lordis of counsall, unto your lordschippis humilie menys and schawis your servitouris provest, ballies, and merchandis of the toune of Edinburgh for thame and the haill communitie of merchandis within this realme, that quhar now laitlie the Martyne has takin ane merchand schip of Holland full of merchandys and brocht hir to the havin and port of Leith, tending till dispone

¹ *Acta Dom. Conc.*, 8th July 1525.

² *Letters and Papers*, iii. 1898 (1521).

apone hir as just prys : howbeit, as we understand, thar is na weir betwix us and Holland, nor thai have done us na damniage nor scaith, nor has tane nane of our schippis sen this weir began ; and throw takin of Hollandaris in tymes bypast thar has greit truble and scaithis cumyn to this realme, and sall increas in tymes cumyn becaus all merchandis in tyme of pece sall put ther geir to the seye and undir traist of pece sal be takin up be Hollandaris quhilkis lyis in ther hie way passand to France or Flandris : heirfor we humilie besek your lordschippis that we may haif lettres direct to officiaris of the kingis shereffis in that part chargeand Robeyn Fogo, capitane of the said schip, and utheris, awnaris of the samyn, till hous all the gudis being in the said schip and mak inventuris therof be avise of the provest and ballies of this said burgh, and the said provest and ballies till haif the keyis therof, unto the tyme it be understandin gif scho be lauchfull prys or nocht ; and siclyk to keip the schip and reparaling of hir, or ellis to find cautioun that the realme sal be scaithles of the takin of the said pryse, undir the pain of the avale of the said schip and gudis and all damniage and scaith that the merchandis of this realme sall happin to sustene throw the taking of hir, undir the pain of rebelloun and puttin of thaim to the horn ; and gif thai refus, till put the saidis gudis in sure keping or to find cautioun that thai within vi houris eftir thai be chargit be denuncit our soverane lordis rebellis and put to his horn and ther gudis eschaetit till our soverane lordis us.' ¹

On 3rd June Robert Barton of Over Barnton, Comptrollar, Sanders Barton, and Robert Fogo, owners of the *Martin* and 'partis men of the said Holland schip,' gave the required caution. It was almost a fortnight later when the lords were officially informed of the moving circumstances which had arisen out of this performance.

'Anent the supplicatioune gevin in be the wifis and

¹ *Acta Dom. Conc.*, 1st June 1524.

barnis of the merchandis of the toune of Edinburgh that past in the Martyne with their merchandice this last viag aganis Robene Fogo and marinaris of the said schip, that quhare ther husbandis and fadiris frauchtit the said schip and helpit to laid the samin with ther gudis to have bene furit to the toune of Danskin, notwithstanding the said Robene Fogo, skippar of the Martyne, and marynaris therof has tane ane schip of Holland, frenndis to this land, and returnit him self with the said pryse to the port of Leith and disponis apoun the said pryse as just pryse; and the said Martyne past hir viage to Cowpmanhavin and ther past on land to have maid ther merchandice in that toune, and becaus the marinaris and skippar deput be the said Robene Fogo hard that thai wald be journait be the law for takin of the said schip and spoliatioune of ther schippis, past on burd and stall away be nycht and brocht the said Martyne hame agane with thair saidis gudis and left ther husbandis on land, nocht ane penny in ther purs, to be adjornait and punyst for ther deidis and faltis to ther utir heirschip and tynsale of ther husbandis, and therfor the said Robert and the laif of his companzouns to be compellit to pas estwart agane to the said partis of Cowpmanhavin with ther gudis to answer for ther awin deidis and to relief ther husbandis, as at mare lenth is contenit in the said supplicatioun.'

Fogo alleged 'that the merchandis, furaris, and frauchteris of the schip . . . now left on land in Cowpmanhavyn . . . commandit the skippar and marinaris of the samin [that gif?] thair merchandice gaif na price in tha partis that thai wald returne agane to the havin and port of Leith with the said schip and gudis; notwithstanding that thai remanit behind.'¹

Unfortunately we have no means of checking the skipper's tale, which does not carry immediate conviction, or of learning how the resourceful Barton and the Lords of Council dealt

¹ *Acta Dom. Conc.*, 15th June 1524.

with the forlorn wives and desolate children. The merchants of Edinburgh, represented by Master Adam Otterburn, contended that the *Martin* was freighted to Dantzic, and implied that she had no business to return with the merchandise to Leith. Barton maintained that the Hollander was a lawful prize, as might be seen from the charter party, and that the action should go before the Admiral's Court, where he may have actually succeeded in taking it, for we hear no more of it in the Council.

Of one thing we may be sure. The incident did not serve to endear the men of Leith to the merchants of Edinburgh. Among the letters of the Scottish kings printed by Ruddiman there are two which may be quoted as bearing directly on the achievements of Robin Fogo. In May of this year Edward Crawford, a merchant burgess, was going to Dantzic 'to procure corn and merchandise for Scotland from that quarter'—very probably in the *Martin*. He proposed to charter a vessel at Dantzic for his cargo, and feared that it might fall into the hands of some French skipper, owing to the state of war between France and the Empire. On 20th May Crawford obtained letters in Albany's name, addressed to officers of the French marine, that under the conditions of the alliance any vessel laden with Scots merchandise would, of course, be treated by them as Scottish, whatever its nationality. For additional security, however, the Duke, who claimed to act by authority of Francis, put Crawford, his goods, the ship he chartered from Dantzic or other port, with its master and seamen, under French protection.¹

It was not from this quarter that ill-fortune came to the merchant. The second letter, directed on 17th October to Frederick of Holstein, who was now King of Denmark on the deposition of Christiern II., reveals the facts. James V.—Albany was no longer Regent—stated that grievous complaint

¹ *Epistolae Regum Scotorum*, i. 344.

had been made to him on behalf of Crawford, 'how that of late he was taking a trading vessel laden with his goods, and put into Copenhagen, fearing no inquisition or crooked dealing from a friendly people. He remained there, on the best of terms with every one, and was making preparations for return, when he was arrested on information given by certain persons hailing from the isle of Holland,¹ on the sole ground, as our information is, that one Robert Fogo with divers associates, indwellers of the town of Leith in our realm, despoiled the aggrieved merchants (so the story goes) of a ship from the bay of Holland. Crawford, a man of peace, to all intents and purposes innocent, had his goods and ship arrested, and is now delayed by a tedious process at law, although the calumnious nature of the charges is apparent from the fact that no attempt has been made by the accusers to prove in our courts that Scots did the wrong or to obtain reparation for the injury. We therefore ask your Highness to show favour to our subject in the interests of justice, to see that his ship and goods are restored, and grant him permission at an early date to go his way. Your Majesty may assure the aggrieved parties, in our name, that justice and the execution thereof are ready in our courts, if any man choose to prosecute.'² Whether justice was quite so simple a matter when the Comptrollar of Scotland was concerned, we have, in this case at least, no means of determining.

THE CHRISTOPHER

Crawford was not the only sufferer from the opportunism of the Leith skippers. Another case is recorded, perhaps distinct, possibly connected with the last. In May of 1524 Robin Fogo seized a Holland vessel at Orsound, valued at 13,000 guldens, ship and cargo. Patrick Barcar, with similar

¹ *Hollandiae insula*.

² Original Latin, *Ep. Reg. Scot.*, i. 348.

enterprise, possessed himself, within Danish waters, of two ships worth 10,000 guldens. The authorities at Copenhagen arrested the gallant skippers at the instance of the despoiled Hollanders; and a trial was in prospect, when Fogo and Barcar, 'contrar thair faith and oblissing, brak the arestment and departit furth of the realme of Denmark with thair schippis.'

The Hollanders then determined to take the law into their own hands and secure compensation out of the next Scottish ship they could find. That proved to be the *Christopher*, laden with goods belonging to men of St. Andrews and Cupar-Fife, and a certain John Diksoun, the Ross Herald. In August of the same year she was 'maistirfullie reft and spulzeit be certane Hollandaris of the toun of Holstirdame in Holland within a schip callit the Fleand Gaist, thair schip beand at ane ankir in the raid of Mardo in Norway within the King of Denmarkis wateris, the said herauld havand ane conduct for thame, thair schip and gudis.' The Hollanders slew one of the crew, cleared the rest out, and proceeded to dispose of the vessel and cargo, valued at 9000 guldens, equivalent to the same number of merks Scots. The Ross Herald lost 'gudis, silkis, velvus, spices, and uthir stuff' to the amount of 600 merks Danish.

The owners brought an action before the Lords of Council against Fogo and Barcar as primarily responsible for the 'reiff'; while Frederick of Denmark wrote to James 'to caus the saidis personis to have payment of the saidis spulze of the said Robert and Patrik, sen thai war the caus therof.' The accused skippers were ordered to underlie the law in the Danish courts at the instance of the pursuers, and to answer the despoiled Hollanders. If they did not comply by Easter, they were to pay to the complainers the value of the *Christopher* and her cargo.¹

This was in reality the second action in which the owners

¹ *Acta Dom. Conc.*, 14th Dec. 1525.

of the *Christopher* were involved. They had begun by suing Hans Sanderson, owner of the *Flying Ghost*, without success.¹ Now it seemed that they had some prospect of restitution. Unfortunately Fogo and Barcar had not the slightest intention of running the risks of Danish justice. These worthies did not go to Denmark by Easter of 1526 ; and when, in December of that year, the suffering owners of the *Christopher* succeeded in laying hands on them and bringing them before the Council in Edinburgh, they had thought out an excuse. They protested that 'sen King Christierne of Denmark was ther maister and King Fredrik was ther defiance' they should not be compelled to submit to the latter's jurisdiction : they were prepared, however, to answer before the Scottish Council. The device of sheltering under the friendship of the deposed King of Denmark and making a plea of the animus which the accepted monarch might be presumed to entertain was ingenious and had its financial attractions. These two seamen had possessed themselves of ships and cargoes worth more than twice the value of the *Christopher* ; and if they were condemned merely to refund the value of that vessel, the result would be most gratifying. The Lords of Council, however, whose sense of international right was not always vivid, were becoming—doubtless along with the general body of merchants—somewhat tired of these adventures and their disturbing effects. Fogo and Barcar were directed to appear before Frederick's Council by 12th June or pay for the *Christopher* as well as their own particular prey.²

It was probably owing to incidents of this sort, as well as to the improving relations with England, that the lords, on hearing that certain Leith ships were 'to depart in weire-

¹ *Acta Dom. Conc.*, 17th May 1525.

² *Ibid.*, 3rd Dec. 1526. For a similar case, in which Robert Barton was one of the sufferers, see 14th March 1524-5. On 26th June 1526 a Leith mariner was 'dilatit as ane see pyrate' (cf. 14th Aug.).

fair,' pointed out how these enterprises had converted friends into enemies by the 'rubryis' perpetrated, and forbade the owners or mariners to embark upon them without special licence.¹ That prudence, rather than a disinterested sense of justice, was the motive which wrought most powerfully with the Council, may be illustrated by an amusing case.

THE DANISH CAPTAIN

Christiern II., King of Denmark, known as 'the Nero of the North,' made himself so unbearable that in 1523 he was compelled to seek a home with the Emperor Charles V., whose sister Isabel he had married. The dynasty of Vasa began in Sweden; while Frederick of Holstein, named 'the pacific,' was chosen for the Danish throne. The deposed Christiern did not relinquish diplomatic activity. In July of 1525 a vessel of war brought writings from him to Leith for the Scottish government. At the same time Magnus Beild, envoy of Frederick, was in Edinburgh on a competitive mission. Christiern's captain could hardly restrain himself, and was brought before the Council, where he found Robert Barton as surety for his peaceable behaviour.²

In the course of his voyage this seaman had snapped up certain prizes, which he brought in with him. It seemed inhospitable to question the legality of the captures, more especially as the Edinburgh people—and doubtless Barton—saw their way to some profitable purchases. On 13th July the Chancellor asked the opinion of the lords as to whether prizes taken by Clowis Knopale,³ captain of a Danish warship, might be reset in Scotland. After prolonged discussion they declared 'that the saidis schipis ar lauchfull prisis to the said

¹ *Acta Dom. Conc.*, 8th May 1525. 'Anze' (Emden?) in Germany and Staverone on the Zuider Zee were invited to renew friendly trade with Scotland.—*Ibid.*, 2nd June.

² *Acta Dom. Conc.*, 13th July.

³ This is the clerk's first effort to record the name: the second, as will be seen, shows considerable alteration.

King Cristierne and his capitaneis of weir, becaus the said king has weir agains the steidis to quham the said schippis and prisis takin be the said Clowis pertenit, likeas his writting of declaratioun therof schawin and producit before the saidis lordis proportit and bure, and therfor ordanis thame to be ressavit and tretit as frenndis, without violatioun or breking of ony amite or kindnes betwix this realme and liegis therof and the realmys and cuntreis pertenyng to the King of Denmark and the steidis, quhilk salbe inlikwis welcum in thir partis and tretit as frenndis; and that the said capitane entir his schippis and prisis to the provest, ballies, and counsale of Edinburgh, and thai to mak price therupoun so that the price beand maid our soverane lord may be first servit, and thereftir the lordis of consale and the toun of Edinburgh and all utheris our soverane lordis liegis, ilkane in ther awin degre, sa that nane of the gudis be sperpalit,¹ nor put on syd, bot all to be furthcumand for the price to the effect aboune writin.’²

This pleasing prospect was momentarily clouded by the action of one of the captive skippers. On 17th July a supplication was given in by Clowis Knyphoif against Hannis Graill, whose ship he had taken for a just prize ‘frauchtit furth of the toune of Danskyn to Holland.’ Graill asked to have his ship and goods restored, and himself set free, ‘becaus he was ane man of the toune of Ree, and his schip and gudis frauchtit furth of the samin, the quhilk toune was frendis to the said King Cristearne.’ The lords decided in favour of Knyphoif, who produced ‘ane testimoniale undir the secrete seile of the toune of Danskin, quhare the said Hannis Graill of Trailsound was frauchtit furth of the said toune of Danskin with thir gudis to Holland or Zeland, quhilk was of the daite at Danskin the tother day nixt eftir Palmsonday the xiii day of Aprile the zeir of God im^m v^c and xxv zeiris.’³

Meantime, however, the aggrieved parties on the other

¹ Dispersed.

² *Acta Dom. Conc.*, 13th July.

³ *Ibid.*, 17th July.

side of the North Sea were preparing to make themselves unpleasant, and Beild had no doubt something to say. Threats wrought wonderfully upon the somewhat piratical spirit of the Council and the burgesses of Edinburgh.

On 3rd August the lords directed the secretary to write 'honest lettres to the burrowmaisteris of Hamburgh and utheris of the stedis,' in answer to communications from them, and to say that 'for favour thai beir in to the saidis steidis and to keep amite with thame anent thir capitanis and weir men cumin in thir wer schippis quhilk brocht wrytingis fra King Cristiarn of Denmark, that the saidis captanis with thar schippis ar ordanit be the lordis of counsale to devoid thame of all partis of this realm and furtht of the Kingis wateris, and that nane of thar schippis ar enterit nor ressavit within na port nor havin of this realm nor will not ressave nor admitt thaim thereto.'

This sudden conversion was not altogether due to threats from the Hansa towns—for these seem to be indicated by 'the stedis'—and still less to considerations of international law. The next step forcibly suggests that Robert Barton had been at work. The plunder, alas, was being sold to persons outside the privileged circle of Edinburgh freemen. Accordingly, on the same day, the Council ordained that 'forsamekle as the Denys and capitanis now beand in the weire schipis in the raid maid merchandice with the counsale of Edinburgh of sic gudis as thai have in ther schippis, and to that effect war chargit be ane maser to cum with thaire schippis and gudis to the portis of New Havyne and Leith and deliver thaire merchandice and ressave payment therfore, conforme to the contract maid therupoune, quhilk thai refus alluterlie to do, and will nocht underlie the lawis of the realme, but haldis thame apoun the streme, selland and disponand thair merchandice to unfremen contrare the fredome and privelege of burrowis and aganis thair awin contract of merchandice maid with the said toune, and aganis the charge gevin to

thame therupoune, contempnand and dissobeiand our soverane lord and his lawis and aganis all justice and equite : quharefore that lettres be writin to command and charge the saidis capitanis and Denys, sen thai ar nocht obedient to our soverane lord and his lawis, that thai devoid thame, ther schipis and gudis, furth of this realme incontinent under the pane of deid : attour that nane of our soverane lordis liegis tak apoun hand to by, sell, nor intromett with thame, or furnis thame with vittalis, schippis, or ony uther stuff or muni-tiouns in tyme to cum, undir the pane of deid and escheting of ther movable gudis to our soverane lordis use.' ¹

It may be only a coincidence ; but Robert Barton relinquished the office of Comptrollar a few days later. If it was he who suggested to the Danes that they should 'hald thame apoun the streme' in order to circumvent the Council and the burgesses of Edinburgh, he ran a grave risk of general unpopularity. The lords, at all events, are at no pains to conceal their indignation.

In 1530, when it was important to be on friendly terms with the Emperor, we hear of 'ane sey revair callit Knyphoif,' who had pounced upon certain ships of Dantzic, and disposed of part of the plunder in Scotland. The outraged merchants sent 'Jodak Elar' to attempt recovery of the ships and goods ; it is almost unnecessary to add that he had 'remanyt lang in the persut therof,' and 'maid grete expens therupoun.' Now, however, the Lords of Council were becoming impressed with 'the grete luf that has stand betuix the merchandis and liegis of this realme and the induellaris of the toun of Danskin and utheris the steidis.' One thousand merks were to be paid to Jodak in compensation for his trouble and expense, in order that merchants might 'stand in kyndnes as of befor' ; and Patrick Baroun, burgess of Edinburgh, was deputed to assess the liabilities of those individuals who had intromitted with the Dantzic goods.²

¹ *Acta Dom Conc.*, 3rd Aug.

² *Ibid.*, 9th April 1530.

MIDDELBURG AGAIN

In 1522 Albany had brought his protracted negotiations with Middelburg to such a point that Scottish commissioners were authorised to fix the Staple there for a period of nine years or the duration of the regency.¹ In response, as we have seen, the town promised to pay a handsome sum when the agreement was implemented, and there was satisfactory evidence that the authorities in Scotland were insisting on its observance by all the merchants.² In the absence of the Governor there was some hesitation in the Council. Betoun was disinclined to seal the confirmatory document on his own responsibility; and after deliberation nine lords formally signified their approval, with the reservation, 'sa fer as the burrowis of the realme has consented to my lord governour undir ther common selis to contract and affix the staple.'³ In the following summer the Council, looking anxiously for the arrival of the Duke to meet the English onslaught and eager to please him, again authorised a confirmation under the great seal.

We are not informed as to connection of these two acts; but Albany conceived that the matter was settled in January, and informed Robert Barton, who sent the *Thomas* across to meet with the disconcerting reception already related. Barton had 'certificatioun,' he said, that the Staple 'was fixt and maid' in Middelburg. It may be inferred, therefore, that Albany had obtained the sum of money for which he had been bargaining; the stipulation was for payment fifteen days after the arrival of the Scottish ships and due proclamation that the Staple port must be frequented on pain of confiscation. Ships seem to have been sent; and the Middelburg people were certainly told that the proclamation had been made.

¹ Rooseboom, App. 40.

² *Ibid.*, p. 38.

³ *Acta Dom. Conc.*, 26th and 29th Jan. 1522-3.

A letter is extant,¹ written by a Scot who was in Edinburgh about this business. The lords, he tells his Middelburg correspondent, have agreed to the contract. 'I have the greit sele of Scotland efter the forme of your memoria, and the pece that ye gaiff to me under your hand write, the quhilk, will God, salbe all fulfillit, the quhilk ye sall find at our meting, and that salbe rycht sone. I sall not tak mony sound slepis quhill we meyt.' He reminds the Middelburg people of his great expense and labour: they are to have patience, and he will 'bring it till a gude fyne.' Certain allusions in this letter tend to strengthen the inference that Albany was deeply committed.

There was a hitch in the proceedings. It will become more evident, as the story develops, that the Scottish merchants were by no means unanimous on the desirability of fixing a Staple port. When the question was submitted by Albany to the Edinburgh men at an earlier stage, the answer was favourable but not enthusiastic, a hesitating and cautious approval. 'The men of gude of the toun for the maist part than beand present thocht the toun of Myddilburgh maist convenient toun to be thair stapill, swa that uther burrowis of the realme wald repair thairto siclyk as the inhabitaris of this toun, and thai hafand siclyk privelegis as wes granted of befoir and as salbe devysit to be desyrit at the said toun.'² Probably the treatment Barton's ship received was due to the fact that some merchants were going elsewhere.

Matters were still further complicated by the tension between the merchant burgesses of Edinburgh and the ship-owners of Leith, who were constantly trying to circumvent chartered rights and privileges, and to carry on an independent trade of their own. Similar difficulties appear in the records

¹ *Letters and Papers*, iv. 407. The letter is placed under June 1524. It does not appear to be dated, and under 1523 it would become more intelligible. Alexander Mure may be the writer.

² *Records*, i. 195 (27th Feb. 1519-20).

of Aberdeen.¹ Barton, among the Leith men, was hand in glove with Albany, and had just been the leader in an action—unsuccessful, it is true—against the Edinburgh claims.²

After the final departure of Albany in 1524, a certain burgess of Middelburg met at Utrecht Alexander Mure, who had acted in the Governor's negotiations and held in his hands the confirmatory writs. With the change in the political situation in Scotland it was doubtful if these were of much value. Mure came across in 1525 to see what he could do. He was compelled to deliver up to Betoun his commission under the great seal; and the Chancellor at the same time took careful note of his statements that nothing had been done in virtue of it and that no gratuity had been received.³ Clearly, then, if money had passed, as it almost certainly had, it went into the pockets of Albany. Two days later an official letter was sent to the authorities at Middelburg. It shows that Mure had been asked by them to secure confirmation and smooth over any difficulties which had arisen from the treatment accorded to Scottish merchants. The Privy Council said they desired first of all to be assured of peaceful relations with the whole province of Flanders, a result they had already written to procure: when peace was certain they would send commissioners to discuss the conditions of an agreement.⁴

This was all very irritating to the burgesses of Middelburg, who had obtained permission from Charles v., at a price, to levy taxation in order to defray the gratuity on which Albany seems to have laid his hands.⁵ The Emperor's interest was enlisted; and the Scots, who desired peace, showed some signs of compliance. Charles ratified the contract; and in the spring of 1525-6 Middelburg seemed about to enforce it with the imperial support.⁶

¹ *Extracts* (Spalding Club), pp. 95, 97.

² *Records*, i. 210.

³ *Acta Dom. Conc.*, 30th May 1525.

⁴ *Rooseboom*, App. 42.

⁵ *Ibid.*, p. 39.

⁶ *Ibid.*, pp. 42-3; *Davidson and Gray*, p. 153.

Very different was the state of affairs in Scotland. Finances were almost desperately low. Barton, as Comptrollar, had to provide for the maintenance of the royal household; and Albany's gratitude was exhibited in a respite from legal prosecution which the wealthy Leith shipowner obtained in 1522.¹ Partly owing to the leakage which prevailed during a royal minority, and partly, no doubt, because of Albany's expensive tastes, things had reached such a pass that in August of 1525, when Barton resigned the duties of Comptrollar in favour of Colville of Uchiltre, the retiring official had to lend some corn in order to keep the household going.² Hence the matter of the Staple was regarded as an opportunity for raising funds. The men of Middelburg would have opened their eyes, if they had been present at the deliberation of the Scottish Council on 15th January 1525-6. Commission under the great seal was to be granted to a person named by the Treasurer with advice of the Privy Council, who should 'pas to the lord and toun of Feir in Zeland, or in any part of the dukis landis, and thair to treit and comoun upoun the binding and making of the staple of the Scottis natioun in the said toun or otheris the dukis landis.' The commissioner was to have full power to conclude an arrangement for a period limited to nine years. The 'importance,' or gratuity, was to be paid to the Treasurer, and £2000 of it delivered to the Comptrollar to furnish the King's household, viz. £500 before 2nd February, and the rest 'als sone is it beis notourlie kend that the said staple beis sett, treitit, and endit.'³

Meantime the authorities of Middelburg were patiently pursuing their cheerless enterprise. On 21st June 1526, one of the burgomasters appeared before the Scottish Parliament. Peace was now restored, and Cornelis Barthelszoon may have hoped for success. The situation, delicate to the verge of

¹ *Records*, i. 210.

² *Acta Dom. Conc.*, 5th and 14th Aug.

³ *Ibid.*, 15th Jan. 1525-6.

duplicitie, demanded cogitation by the Scots. He was asked to await the 14th July, in order that the burghs might have an opportunity of stating their views.¹ The matter came up on that day before the Lords of Council. Master James Foulis, who had acted as procurator for Barthelszoon, was very careful to record 'that he wald procur na thing quhilk might be prejudice to the commone wele of merchandice in the realm, becaus he is sworn to the fredome of this burgh.' It appeared that the burgomaster carried the Emperor's confirmation of the contract: he would not 'entir to pley the said mater,' but simply desired answer to the writings which he submitted.²

When James was told that the Parliament had deferred the Middelburg burgomaster to 14th July, he remarked that the interval was too long, 'becaus of necessite of money quhilk mon instantlie be providit.' It was pointed out to him that the contract could not honourably be broken. Thereupon the new Treasurer and the Comptrollar, the Master of Glencairn³ and Colville, intervened to insist that the lords should find some means to defray the royal expenses. They decided that the Comptrollar was to furnish money till 14th July, because the Treasurer had promised to find him £3000. This sum would be refunded to the Master either from Barthelszoon, 'be making of the staple for the Scottis nation' in Middelburg, or from a 'gratitude' contributed by the merchants of the realm. If the sum was not forthcoming by 14th July, the Treasurer would pay only the expenses of the household up to that date.⁴

It was clear that the burgomaster had come prepared to offer a consideration: if the Scottish burgh merchants objected to the contract, they might cut him out. On 16th July the Comptrollar began to clamour for his money, threatening to stop supply; while the Treasurer asked for 'sickirnies'

¹ *Acts of Parl.*, Rooseboom, App. 43.

² *Acta Dom. Conc.*, 14th July 1526.

³ He took office on 25th June.

⁴ *Acta Dom. Conc.*, 26th June 1526.

regarding the merchant contribution or immediate power to conclude the Staple bargain. The lords succeeded in postponing the issue till the beginning of October. The Treasurer undertook 'to suport thame that beis comptrollar' in respect of the household expenses; and on the 1st of that month he was to have 'siclike fredome and privelege anent the making of the staple as he may now have be resoune of the act maid therupoune.'¹

This three-cornered contest becomes gradually more confusing. The Treasurer and the Comptrollar staggered along till 2nd August, when the former was ordained to find 'honest sufficient burgess men of Edinburgh' as cautioners for the sum of £3000, which was to enable the latter to maintain the King. Parliament assembled in November. The burgh commissioners desired a sight of the writings anent the Staple; and Archibald Douglas of Kilspindie, Provost of Edinburgh and Treasurer—the Master of Glencairn had relinquished the office—was directed to procure them for inspection at the lodging of the Clerk Register. The great seal writ had disappeared. Whereupon William Adamson, burgess of Edinburgh, was brought before King and Parliament, and bound himself 'under the pane of tinsale of life, landis, and gudis' that he would recover the writing within twenty days 'untransumyt auctentily.'² Barthelszoon, it would seem, was bent upon obtaining a certified copy, or even securing the original, and had taken means accordingly, involving the unfortunate burgess in trouble. In ten days Adamson appeared before the Council and claimed discharge.

'Anent the supplicatioun gevin in be William Adamson, burges of Edinburgh, that quhar he was ordanit be the Kingis graice and lordis of his Counsale in this last parliament and chargeit undir the payn of tinsale of his life landis and gudis that he suld bringe the wrytingis laitlie maid to the town of Middilburgh undir the greit sele anent the stapill of

¹ *Acta Dom. Conc.*, 16th and 17th July.

² *Acts of Parl.*, 17th and 21st Nov.

the merchandis of this realm to be at the said town of Middilburgh, as is contenit in the act maid therapoun; quhilk command and charge to his greit labour and expens he has fulfillit, and has presentit the saidis wrytingis befor the saidis lordis haile and sic lyke as thai war ressavit, untransumyt be ony manner of persoune, eftir the form of the said act maid therapoun, howbeit he is rycht hevely and evile done to therintill considering in verite he was nocht the ressavour of the saidis wrytingis, nor had na thing adoo therwith; desyring therfor the lordis that he and his souerties be sufficientlie dischargit of the said act in tyme to cum, lyk as at mair lenth is contenit in the said supplicatioun. The lordis of counsale being ryplie avisit therapoun, eftir the ressaving of the saidis wrytingis maid anent the stapill undir the greit sele, decretis, deliveris, and decernis the said William Adamson and his cautionaris quyte of the tenour of the said act anent the brynging of the saidis wrytingis agane, and all thing that may be laid to his charge or his cautionaris tharthrow in tyme to cum, owthir civily or criminaly [sa that the saidis lettres nor nane of thame be transumit auctentely fra the tyme thai war deliverit to the men of Middilburgh or to the said William and brocht again be the said William to the lordis of counsale; and that gif ony transumptis be maid sen the tyme forsaid quhar threw the realme ma gett scaith, that part of the act to remane in effect as it was of befor aganis thame],¹ becaus the said William has effectuislie and trewly fulfillit the said act and the command and charge gevin to him be the tenour therof, as was undirstand to the saidis lordis.²

It was on 21st November that Adamson undertook to recover the great seal writ and took one of the Middelburg men with him, while the other, either Barthelszoon or his companion, was consigned to ward: it was on 1st December that the task had been accomplished. If the envoys, with the connivance of certain persons in Edinburgh, had tried to

¹ On margin.

² *Acta Dom. Conc.*, 1st Dec. 1526.

transfer the document to Middelburg, the scheme failed. The archives of that persevering town reveal no more than complaints about the treatment of its representatives, their imprisonment, and the fact that they had been robbed of all their money.¹

This at all events is clear. The commissioners of the Scottish burghs in Parliament had been charged by their constituents to see that Middelburg did not become the Staple port; and the project, which may have been favoured by some of the Edinburgh merchants and which offered an opportunity to the Crown of making a little profit, desperately needed, had to be relinquished. The Act of 24th November, annulling the 'pretendit contracte,' required thoughtful drafting. The Middelburg scheme, the burgh commissioners said, was fatal to the interests of the merchants: the agreement was a piece of sharp practice; as was the subsequent confirmation under the great seal. After 'lang disputatioun' the House decided that it was dishonourable to the King and a disastrous restraint upon freedom of trade. The detailed reasons for quashing the contract varied in cogency; the result was perfectly definite—'full licence, fredome, and liberte to all merchandis of this realme to pass with thar schippis and gudis in merchandice quhare thai think mast proffettable and can be best tretit in all tymes cuming.'

The Middelburg people spoke of 'robbery.' Our accounts reveal that Archibald Douglas received from the envoys 500 merks, which were handed over at the King's command to the yeoman of his chamber;² and that Colvile, the Comptroller, had £1000 from the same source, 'at the King's order'³—total £1333, 6s. 8d. The burghs, on the other hand, had petitioned against the contract, and might be expected to put a monetary value upon the freedom which they had

¹ Rooseboom, pp. 43-4.

² *Treasurer's Accounts*, v. 294, 332.

³ *Exchequer Rolls*, xv. 377.

secured. They contributed some £2000, Edinburgh's share amounting to considerably more than a quarter.¹ In this frank and fearless manner were the pressing deficits of the Treasury and Exchequer supplied. Barthelszoon and his comrade, retiring to Middelburg in some heat, took legal advice, which was that the Scots might be compelled to fulfil their agreement, and that it would be better to invoke the Emperor's aid than to think of recovering the money.²

It is but fair to the business capacity of our ancestors to add that they had other irons in the fire. From the beginning they had played upon the competitive jealousies of Middelburg and Veere: indeed the action of the latter may have had something to do with the scandalous treatment of which Barthelszoon complained. A fortnight after the annulling Act of Parliament we learn that 'Jacquet de Graiff' presented 'ane copburd of silver to the Kingis grace in name of the lord of Vere,'³ who was also so good as to send to the Treasurer a sum of 1000 merks.⁴

The burgesses of Middelburg sent Barthelszoon to Spain in 1527 with an offer of money to Charles, who, if he occupied a more exalted throne, was like James in his need of funds. Next year Margaret of Savoy, who governed the Netherlands, wrote to the Scottish King somewhat frankly. Her version of the story was that he had agreed to the contract and had delivered his letters-patent in return for a gratuity, but that when the Middelburg envoys were in Scotland his officers had put them in ward and had compelled them to give up the confirmation without returning the gratuity. She asked James to be so good as to refund the money.⁵

By this time the European situation had been completely changed. Henry and Francis had come together, and the Emperor was now looking to Scotland for a possible ally.

¹ *Exchequer Rolls*, xv. 377. Edinburgh's £572 was not payment in full, but no second instalment is recorded. ² Rooseboom, p. 45. ³ *Treasurer's Accounts*, v. 307.

⁴ *Exchequer Rolls*, xv. 377.

⁵ Rooseboom, App. 46.

It suited the Scots to be responsive, both on diplomatic grounds which had to do with the royal finance and because of their interest in the Flanders trade. In 1529 some general agreement on commercial matters was reached. We know that James confirmed certain statutes anent merchantmen sailing to the Emperor's lands, drawn up by the commissioners of burghs 'for the honour, policy, and common weal' of the realm, and ratified the appointment of a Conservator.¹ The prospect of expanding trade, also, tended to weaken the exclusive attitude which the gild merchants adopted towards the craftsmen, who now had 'restored' to them the right of sailing and using all manner of merchandise.² It was the new situation and not any mere weakness of repentance which induced the Lords of the Articles in 1531 to ordain that the men of Middelburg, not having 'optenit thare desire,' should obtain repayment of the gratuities.

The money which had been so cleverly extracted from Barthelszoon and his companion, eked out with the burgh tax, tided over the difficulties of the Exchequer for the time; but after the domination of Angus the royal revenues were in so serious a condition that James, like many others before and after him, was advised to ponder the advantages of a dowry. The Emperor's widowed sister, the Dowager of Hungary, was considered: then Katharine de' Medici. Albany, Katharine's second-cousin, could not, or did not see fit to bring the alliance about. Then the happy thought occurred that, as the projected College of Justice required endowment, the beneficent scheme of taxing the Scottish prelates for this purpose might include a plan for liquidating the debts of the Crown.³ The affluent Barton had been called in to save the situation by combining in his own person the offices of Treasurer and Comptroller. The result was that James owed

¹ *Register of the Privy Seal*, viii. 41: Mure had been superseded.

² *Ibid.*, 53; cf. Davidson and Gray, p. 30; *Records*, i. 86.

³ For the story see the writer's article in *Scot. Hist. Rev.*, xv. 30.

him £6779.¹ Whether Albany also was a debtor is not known ; nor indeed is it quite certain that the Duke was necessarily involved in the magnanimous offer of the Parliament to recoup the community of Middelburg. At all events it is extremely probable that his activity in procuring from Pope Clement VII. the great ecclesiastical tax was not prompted by merely sentimental interest, or even by a diplomatic desire to keep France and Scotland in touch, but by considerations of personal finance. If he had not taken Middelburg gold, he had originated a vast amount of trouble and expense. So strangely is one of the great events in the history of Edinburgh and of Scotland connected with the mercantile ambitions of a Netherlands seaport.

R. K. HANNAY.

¹ *Register of the Privy Seal*, viii. 232 : on 6th Dec. 1530 Barton said he was 11,000 merks out of pocket (*Acta Dom. Conc.*).

EDINBURGH ENGRAVERS

THE revival of interest in engravings and the engraver's art has suggested a consideration of the place occupied by Edinburgh engravers in the history of the art. It is still matter of controversy whether engraving had its origin in Italy or Germany, but it must be acknowledged that the art did not take root in these islands until nearly a century after it had become firmly established on the Continent. And it must also be conceded that it was practised in England before any Scotsman engaged in it. It was known both in Italy and in Germany in the fifteenth century. It was a great art in both these countries in the sixteenth century. In the seventeenth century it was a still greater art, and was practised to great perfection not only in Italy and in Germany, but in the Low Countries and in France, and long before the close of the seventeenth century it had reached its highest point in the last named country. In England, half of the sixteenth century had nearly passed before it was practised as an art at all, and the century was nearly over before we had the engraved work in England of Englishmen. The seventeenth century, however, which saw great work by French engravers, also saw good work by English engravers. That century produced in England William Rogers, William Hole, William Marshall, John Payne, Thomas Cecill, Robert Vaughan, the elder William Faithorne, William Sherwin, and Robert White.

It is difficult to determine when the art came first to be practised in Scotland. Certainly the seventeenth century had not come to a close before engravers had left their mark in our land. Walpole in his *Anecdotes of Painting in England*

mentions John Clarke as 'an engraver at Edinburgh (1690), where he did two profile heads in medal, of William and Mary, Prince and Princess of Orange, yet dated 1690; and prints of Sir Matthew Hale, of George Baron de Geortz (this was in concert with Pine), of Dr. Humphrey Prideaux, and a plate with seven little heads of Charles II. and his queen, Prince Rupert, Prince of Orange, Duke of York, Duke of Monmouth, and General Moncke.' But in 1681 the first edition of Murray of Glendook's folio *Acts of Parliament of Scotland* was published. It contains a number of fine line engravings, including the Arms of Scotland, portraits of James I., James II., James III., James IV., James V., Mary, James VI., Charles I., and Charles II. The engraver's name on the portrait of Charles II. is Ia: Clark, and the same name appears on the engraved title-page, which, besides giving representations of 'Majesty' and 'Justice,' gives also portraits of the Stuart kings and Mary. This publication, it will be observed, is nine years earlier than the only date given by Walpole, and the suggestion now made is that James Clark was the father of the John Clark mentioned by Walpole. The portrait of Charles II. and the title-page referred to are both excellent engraver's work for the period. The portrait of Charles I. has no engraver's name, but seems to be the work of the same hand. The portraits of the earlier Stuart kings and queen are as obviously by another hand, but whether that hand was Scottish will probably never be determined. The name Ia: Clark also appears as the engraver of the device of the burning bush for *The Principal Acts of the General Assembly of the Church of Scotland convened at Edinburgh the 16th day of October 1690. Edinburgh, Printed by George Mossman, Printer to the Church of Scotland and Her Assemblies Anno Domini MDCXCI.*

Another early Scottish engraver mentioned by Walpole is William Elder, whom he describes as 'cotemporary with Robert White, and a Scotchman. Vertue had seen some

writing graved by him in a book in 1681. He made a print of himself in a fur cap, and another in a wig. His best work was a plate of Ben Jonson. His other things are heads of Pythagoras; Dr. Mayern; John Ray; Dr. Morton; Archbishop Sancroft; George Parker; Charles Snell, writing-master; Admiral Russel; and Judge Pollexfen.'

The same period produced engravings by other Scotsmen whose names have not been hitherto recorded. They worked principally for booksellers, and in the production of heraldic plates. Their names are now chronicled: Archd. Burden, George Burgon, who is designed as Talidouce Printer in Edinburgh, A. Carruders, Joseph Cave, Francis Garden, George Main, Robert Mylne, C. Norton, George Patersone, John Reid, Pat. Scot, and Robert Wood. Of these little is known. In the index of subscribers to Nisbet's *Essay on the ancient and modern use of Armories*, published by William Adams Junior for Mr. James MackEwen and sold at his shop opposite to the Cross Well Anno. Dom. MDCCXVIII, which includes the name of 'Mr. James Boswell of Auchenleck, Advocate,' Archibald Bourden is entered as 'Engraver in Edinburgh,' George Burgon as 'Talidouce Printer in Edinburgh' (French, *taille douce*=copperplate), Joseph Cave as 'His Majesty's Engraver,' Robert Miln as 'Engraver in Edinburgh,' and Robert Wood as 'Engraver in Edinburgh.' Reference may be made with regard to Archibald Burden to the article by Alexander J. S. Brook, F.S.A.Scot., in the *Proceedings of the Society of Antiquaries of Scotland* for 1893-94, at pp. 418 and 419, and to an article in vol. vi. of the *Journal of the Ex Libris Society* (Jan.-Dec. 1896), 1897, by John Orr, Bookseller, Edinburgh. Undoubtedly the best engraver of those named was Robert Wood. His portrait of 'D. Georgius Mackenzeus, a Valle Rosarum Causarum Patronus,' the 'bluidy' Mackenzie, will stand comparison with the best contemporary French engraving. Wood may also have been the engraver of the portrait of William Drummond of Hawthornden that was

prefixed to Drummond's works, published in Edinburgh in 1711, by James Watson in Craig's Close, and the portraits of James I., II., III., IV., and V. in the same work may also be his, but the engraving, though clean and clear, has no great artistic merit.

The real beginning of a school of engraving in Edinburgh was when Richard Cooper settled in the city. It is believed that he was of English birth, and was born in 1705, but his whole artistic energies were put forth in Edinburgh, where he must have settled when a youth, as his name appears as treasurer of the Academy of St. Luke in 1729. He engraved many plates, among which may be noted those of the children of Charles I. with a dog, and Henrietta Maria, both after Vandyck; the Right Hon. Sir Hew Dalrymple of North Berwick, Lord President of the Court of Session (whose judicial title of Lord North Berwick is not well known), after William Aikman; the Hon. Walter Pringle of Newhall, Knight, one of the Senators of the College of Justice (whose judicial title was Lord Newhall), after Andrew Allan; William Forbes, Advocate, Professor of the Laws in the University of Glasgow, after William Robinson; and John Napier of Merchiston, the inventor of logarithms, after a portrait in the University of Edinburgh. His son, Richard Cooper, Junior, also an engraver, was born in Edinburgh in 1730, and did work of note in subsequent years in England. Richard Cooper, Senior, did work also for the booksellers and a carefully executed piece of work by him after George Jamison, is prefixed to the *Poetarum Scotorum Musae Sacrae*, by Arthur Jonston and others, published in Edinburgh by the Ruddimans in 1739. It was under Cooper that Sir Robert Strange received his early training as an engraver. Strange was born in the Orkneys in 1721. Originally intended for the law, he came to Edinburgh as a lad with a view to receiving his professional training. He soon, however, abandoned the law, and in 1734 we find him an apprentice to Richard Cooper under a three years' engage-

ment, during which time he lived in his master's house. He remained with Cooper till 1741, about which time he became engaged to marry Miss Lumisden, sister of Prince Charles's secretary, and under her influence he became an enthusiastic Jacobite. His first known engraved work of importance was a portrait of the Prince.¹ His next essay in engraving was a bank note² for the Prince, which he executed when the Jacobite army was billeted at Inverness. Some impressions of this note were given to the Prince on the eve of the battle of Culloden. His activities on behalf of the Prince and in particular his engraving of these Jacobite bank notes, endangered his personal safety, and it is said that on one occasion he escaped from the search of the King's soldiers by being concealed by Miss Lumisden beneath the expansive skirts of her hooped dress. He was married in 1747, and went in the following year to Rouen, and in the next to Paris, where he studied under the eminent French engraver, Jacques Philippe Le Bas. In 1750 he went to London. From that time till his death, which took place in London in 1792, London was his headquarters, though sometimes he resided at Paris and also at Rome, and it was during that period that his most important engraved work was produced. A list of ninety-seven engravings by him is appended to his *Memoirs*, and those of his brother-in-law, Andrew Lumisden, published by James Dennistoun in 1855. Two large folio volumes containing forty-one of his best works are in the Advocates' Library. The volumes bear to have been presented to the Library by Jo. McGowan in name of the author. They are all engravings in line after the great masters. The best are the portraits of Charles I. after Vandyck, and of the children of Charles I., also after Vandyck, though the others display more the outstanding excellence of his engraving, namely, the extraordinarily brilliant representation of the nude.

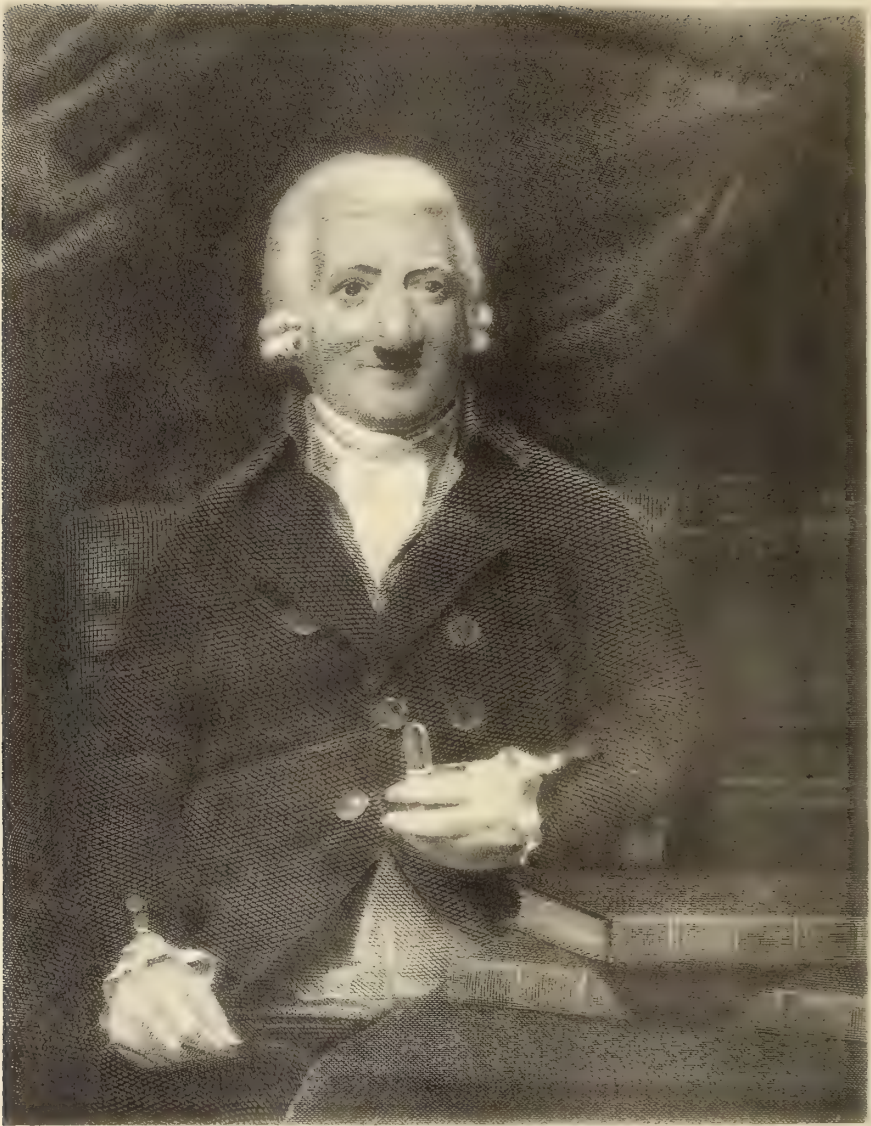
¹ Reproduced in *The Book of the Old Edinburgh Club*, vol. ii. p. 12.

² *Ibid.*, p. 49.

So much has been written concerning Strange's engravings that it is out of place to offer criticism here. Mr. Thomas, in his work on *French Portrait Engraving of the Seventeenth and Eighteenth Centuries* (London, 1910), calls him 'the most famous of English line engravers,' and Georges Duplessis, in his *Les Merveilles de la Gravure* (Paris, 1869), says of him :

'Peu d'artistes produisirent des estampes exécutées avec une plus complète habileté ; le travail du burin est agréable et coloré ; diversement menées, les tailles suivent les formes, noient les contours, et s'entre-croisent à l'infini sans offrir jamais à l'œil un aspect désagréable ou monotone ; pas une seule de ses nombreuses planches ne trahit la faiblesse, la moindre lassitude. Au contraire, toutes révèlent une connaissance complète, approfondie des ressources du métier.'

Almost contemporary with Strange was David Allan, who was born at Alloa in 1744, and who died in Edinburgh in 1796. Allan was expelled from school when ten years old for drawing a caricature of his teacher. Shortly thereafter he attended at the Academy of Art established at Glasgow by the celebrated printers Robert and Andrew Foulis. Going to Rome in 1773, he there won the gold medal of the Academy of St. Luke for the best historical painting, choosing for his subject 'the origin of painting.' This picture is in the National Gallery of Scotland. After spending some years in London on his return from Rome, during which period he chiefly engaged in portrait painting, he settled in Edinburgh in 1780, and from that time till his death in 1796 he painted many pictures, of which the 'Penny Wedding' may be taken as a characteristic example, pictures which earned for him the title of the Scottish Hogarth. Allan was in no way influenced by the work of Strange. He was the first Scottish engraver to practise the aquatint method of engraving, a method which he learned from Paul Sandby, the celebrated English artist and etcher, who resided in Edinburgh for several years and made numerous Edinburgh etchings. Allan's portrait of Allan Ramsay and his ten illustrations of the *Gentle Shepherd*,



ANDREW BELL

*from the portrait by George Watson, engraved by
Edward Mitchell.*

published by the Messrs. Foulis in Glasgow in 1788, are all aquatints.

Another engraver who learned his art under Richard Cooper, being a fellow apprentice with Strange, was Andrew Bell, the projector and proprietor of the *Encyclopædia Britannica*, and under him in turn many engravers learned their art, who subsequently did excellent work. Bell himself worked chiefly for book illustration. He engraved the plates for Smellie's translation of *Buffon*, and those of the first edition of the *Encyclopædia Britannica*, published in Edinburgh between 1768 and 1771. His engraved portrait of 'George Louis le Clerk, Count de Buffon, Intendant du Jardin du Roy, et des Académies Franc^{se} et des Sciences et de celles de Londres, d'Edinburg et de Berlin,' will rank with the best engraved portraiture of France of the eighteenth century, and his small engraved portrait of Alexander Pope is of much merit. His portrait by George Watson, P.S.A., hangs in the National Portrait Gallery of Scotland, and has been engraved by Edward Mitchell, to be afterwards noticed. Bell died at his house in Lauriston Lane in 1809, at the advanced age of eighty-three. Bell was a little man with a very large nose and with badly deformed legs. He was in the habit of taking exercise on horseback, and his diminutiveness made it necessary for him to mount his horse by means of a small ladder which he kept for the purpose. He used to carry with him to convivial parties an artificial nose of much larger dimensions than his own very large proboscis, and this false nose he would assume when the hilarity of the evening was sufficiently far advanced. At one of these gatherings the deformity of his legs was made matter of jest. He took the jest in good part, however, and pushing out one of them he wagered that there was a leg in the room still more crooked. The wager was accepted, whereupon Andrew pushed out his other leg, the more deformed of the two, and won his bet.

In 1766 an edition of 'the works of that great monarch and

glorious martyr, King Charles I.,' was published (Aberdeen, Printed by J. Chalmers: for William Coke, Bookseller in Leith, MDCCLXVI.). Facing the title-page is a well engraved allegorical engraving portraying the Martyr King trampling on his earthly crown, and with a crown of thorns in his right hand, looking to a heavenly crown above. It has the engraver's inscription thus:—'J. Phinn sculp. Edinb. 1766.' This engraver also executed a small portrait of George Buchanan.

The eighteenth century saw the beginning of the Scottish school of etching. Alexander Runciman (1736-1785) and John Runciman (1744-1768), both born in Edinburgh, were the sons of an architect who encouraged their predilection for art. Alexander attended Foulis's Academy at Glasgow, and both subsequently studied in Rome. John died when only twenty-four years of age, but not before he had done work entitling him to an honoured place among Scottish artists. Alexander was in 1771 elected master of the Academy in Edinburgh, where he remained till his death in 1785. He painted many fine pictures of classical and historical subjects. Both brothers practised etching with great success, their subjects being principally classical and romantic. Three of Alexander's etchings may be seen in the print room of the National Gallery of Scotland. A collection of their etchings ought to be made.

Two amateur etchers of the same period are worthy of note: John Clerk of Eldin and Adam de Cardonnel. Clerk, who was the father of the better known John Clerk of Eldin, afterwards a judge of the Court of Session, was the inventor of a form of naval tactics, that was used with success by Admirals Rodney, Nelson, and Howe. He devoted his leisure to sketching and etching. His etchings are not uniform in quality, but some of them have great merit, notably those of Dalhousie Castle; Newark Castle, Ayrshire (back view); Durham; and Salisbury. He etched about eighty or ninety plates, and in 1825 the Bannatyne Club published a folio volume containing twenty-eight of them.

The Rev. Dr. Alexander Carlyle, minister of Inveresk (1722-1805), in his Autobiography, under the year 1748, refers to Mansfelt Cardonnel, Commissioner of the Customs, whose 'father, Adam de Cardonnel (for they were French Protestants by descent) had been secretary to the Duke of Schomberg, who was killed at the battle of the Boyne, at the age of eighty. . . . The son' (*i.e.* of Mansfelt) 'is now Adam de Cardonnel Lawson of Chirton, close by Shiells.' This last named person practised for a time as a surgeon, and became a Fellow of the Society of Antiquaries of Scotland in 1781, of which Society he was curator from 1782 to 1784. He accompanied Grose, the 'chiel amang ye takin notes' of Burns, on several expeditions when Grose was preparing his work on the antiquities of Scotland which was published between 1789 and 1791. He left Scotland about 1798 on succeeding to the Chirton estate, when he assumed the additional surname of Lawson. In 1788 he published two volumes of *Picturesque Antiquities of Scotland*, containing fifty, and in 1793 a further volume containing fifty-three more, etchings of Churches, Religious Houses, and Castles of Scotland. They are all small in size ($3\frac{1}{2}$ in. by $2\frac{1}{2}$ in.). They are almost uniformly excellent, and are the work of a man who, though not a professional artist, had the artistic faculty strongly marked. A pencil sketch portrait of him by John Brown is in the Scottish National Portrait Gallery.

David Deuchar (1743-1808), seal engraver, was another who about this time produced many etchings, chiefly after the etchings of the old continental masters of the art, but many from his own drawings and designs. His father, Alexander Deuchar, was first a farmer at Boshen in the parish of Kinnell, Forfarshire, where David was born, but he afterwards became a lapidary in Edinburgh. From an article on Sir Henry Raeburn in *Caledonian Jottings*, of date 1st January 1900, a magazine issued for private circulation among the officers and agents of the Caledonian Insurance Company, with which company the

name of Deuchar was long honourably associated, the following passage is taken explaining why David Deuchar's father made the peculiar change of occupation from farmer to lapidary.

‘It was by force of circumstances rather than by choice that Alexander Deuchar abandoned farming and became a lapidary at the time of the Rebellion of 1745. While engaged in farming he had been somewhat of a mineralogist, and had amassed a considerable collection of Scottish pebbles and garnets, and other gems, which he kept in barrels. And when the Highland raiders carried off all his cattle and stock, he took ship at Montrose for Leith, along with his wife and infant son David, bringing with him his barrels of gems, which had escaped the notice of the Highlanders, and which formed his sole remaining possessions. On arriving at Leith he consulted an Edinburgh friend as to disposing of his gems to a lapidary or seal engraver, but his friend strongly advised him rather to utilise his stock of stones himself by beginning business as a lapidary, for which there seemed to be a good opening at the time, there being a great demand for pebble buttons, which were then very fashionable. Accordingly, Alexander Deuchar set up a lapidary mill at Croft-an-righ, near to Holyrood, where he was able to obtain the necessary water-power from a stream which is now covered over at that point in its course.’

David Deuchar was in course of time put to the business of lapidary and seal engraver, being also trained as a goldsmith; and it is interesting to know that he was the first to discover the latent talents of Raeburn, and the first to give him lessons in drawing. Raeburn was at first apprenticed to James Gilliland, goldsmith, Parliament Close; Deuchar frequently visited Gilliland's premises.

‘On several occasions, as he passed in, Mr. Deuchar noticed the lad push something into a drawer as if to conceal what he had been doing. This stimulated Mr. D.'s curiosity, and once when returning from the back room he quietly stepped behind Henry, before the latter saw him, when, to his surprise, he found the boy engaged in gazing intently into a small mirror. “Hullo, Henry,” said he, “are you admiring your good looks?” “No,” said the boy, “but I am trying to draw a likeness of myself,” and he produced a sheet of paper on which he had made a

very creditable likeness of himself in pencil. On being asked if he ever had lessons in drawing, he said no, but added that he earnestly wished he could afford to have them ; whereupon Mr. Deuchar said he would be glad to give him one or two lessons per week after his closing hours, which would cost him nothing. This offer was joyfully accepted by Henry, who in a short time showed so great proficiency as to lead Mr. Deuchar and Mr. Gilliland to the belief that he was a born artist, and that it would be the greatest of mistakes to try to make a mere goldsmith of him. Accordingly, Raeburn was introduced to David Martin, then the fashionable portrait painter in Edinburgh, and became his pupil.'¹

David Deuchar's business was that of a seal engraver, but he devoted much of his leisure time to art. He painted in oils and he modelled in clay ; but it is chiefly for his skill in etching that he will be remembered. In 1788 he published *The Dances of Death, through the various stages of human life, wherein the capriciousness of that tyrant is exhibited in forty-six copper plates, done from the original designs by John Holbein, etched by D. Deuchar, F.A.S.* From the engraved title it would appear that the plates had been executed in 1786—*Le Triomphe de la morte gravé d'après les dessins originaux de Jean Holbein par David Deuchar, 1786.* Prefixed is a portrait of Deuchar, supported by Adam and Eve holding with outstretched hands the forbidden fruit and surmounted by the three Fates within an arch supported by two columns. Francis Douce, in his dissertation on the several representations of Holbein's Dance of Death, says of Deuchar's etchings that, though inferior to those of Hollar, they are 'very superior to others and entitled to much commendation.'

By the year 1803 Deuchar had etched a very large number of plates, and in that year he published, in album form, *A collection of etchings after the most eminent masters of the Dutch and Flemish Schools, particularly Rembrandt, Ostade, Cornelius Bega, and Van Vliet, accompanied with sundry miscellaneous*

¹ Article in *Caledonian Jottings*, 1st January 1900.

pieces and a few original designs, by David Deuchar, Seal Engraver, Edinburgh, Decr. 22, 1803. The albums did not each contain the same etchings. Those in the album in the writer's possession number 164. They are of very considerable merit, and some of the best are from Deuchar's own designs.

John Kay (1742-1826) was the son of a mason in Dalkeith. When a boy he was bound apprentice to one George Heriot, a barber in Dalkeith. In 1771 he became a member of the incorporation of Surgeon-Barbers, paying about £40 as entry money. He had very early displayed a genius for drawing, and, under the patronage of Mr. Nisbet of Dirleton, he was afforded the opportunity of improving himself in the art. While he carried on his barber's business in Parliament Square, he started to paint miniature portraits, and later he attempted to etch in aquafortis. 'Having published some of his prints executed in this way, he met,' as he tells us himself, 'with so much unexpected success, that he at last determined to drop his old profession altogether, which he did accordingly in 1785.' He etched nearly nine hundred plates, principally of the public characters of his day in Edinburgh. As Robert Chambers says, in his *Biographical Dictionary of Eminent Scotsmen*, 'it may safely be affirmed, that no city in the empire can boast of so curious a chronicle.' All his portraits, when not caricatures, are said to be perfect likenesses.

'Once, it is related,' says Chambers, 'he was "trysted" with an exceedingly ill-looking man, much pimpled, who, to add to the distresses of the artist, came accompanied by a fair nymph to whom he was about to be married. Honest Kay did all he could in favour of this gentleman, so far as omitting the ravages of bacchanalianism would go; but still he could not satisfy his customer, who earnestly appealed to his innamorata as to the injustice which he conceived to be done to him, and the necessity of improving the likeness, for so he termed the flattery which he conceived to be necessary. Quite tired at length with this literally ugly customer, and greatly incensed, the miniaturist exclaimed, with an execration, that he would "paint every plook in the

puppy's face : would that please him ! ” It is needless to remark that in this, as in other instances, Mr. Kay lost by his unbending accuracy of delineation.’

Kay died at his house, No. 227 High Street, Edinburgh, 21st February 1826, in the eighty-fourth year of his age. A collection of 366 of his prints was published in 1837, accompanied by very interesting biographical sketches, in two volumes, by Hugh Paton, carver and gilder and printseller in Edinburgh, and these volumes are so well known as to make any description unnecessary. As prints probably the best are those of Mary Queen of Scots, the King Queen and Dauphin of France, and the Dog and Cat Fight, all of which appear in the appendix to the second volume, because they ‘could not with propriety be introduced into a work of Original Portraits.’

Returning to the line engravers we find Andrew Bell rearing up a number of talented young men as apprentices in the art. Among these was Francis Legat (1755-1809). Bryan in the first edition of his *Dictionary of Painters and Engravers*, published seven years after Legat's death, says :—‘ He engraved several plates in a very finished style, in which he appears to have imitated the fine manner adopted by Sir Robert Strange ; though his prints cannot boast of that power and brilliancy of effect which distinguish the works of that distinguished engraver.’ The principal plates engraved by Legat are—Mary Queen of Scots resigning the Crown, after Gavin Hamilton ; the Continnence of Scipio, after Poussin ; Lady Hamilton as Cassandra, after Romney ; and the Young Princes in the Tower, after Northcote.

Another of Andrew Bell's apprentices was Alexander Robertson, whose work, mostly, if not wholly, of a topographical character, was performed in a neat and clean manner. Some of his plates, as those of Restalrig, Wryte's Houses, and Hawthornden, are of antiquarian as well as of artistic interest. He was working in the latter part of the

eighteenth century, 'and being a kind of musician in his way, left his bench daily at one o'clock for the upper chamber of St. Giles's steeple, where, in his official capacity of bell-ringer, he treated the citizens of Auld Reekie to such lively airs as "Hey, Johnny Cope," and other melodies.' ¹

Robertson was the master of Robert Scott (1777-1841), a most prolific engraver, the father of David Scott, the eminent Royal Scottish Academician, whose etchings will be afterwards referred to. We are indebted to William Bell Scott, another son of Robert Scott, and himself an artist, engraver, and art critic of no mean order, for the information that his father, when his master, Robertson, was absent from his place of business either ringing the bells of St. Giles' or spending his afternoons, as he not unfrequently did, in John's Coffee House or some other place of public resort, had the privilege of working at the one window which lighted the workroom, instead of engraving in the passage.²

From the same source we gather the account of one of Robert Scott's projected publishing ventures. Thomas Bewick, the eminent wood-engraver of Newcastle, had published (1797-1804) his great work on *British Birds*, and it was in the contemplation of Scott to emulate it with another work on natural history for which he proposed to execute the engravings. At this time the poet Thomas Campbell, then a student, was residing in lodgings in Edinburgh, and Scott had approached him with a view to his writing the letterpress of the work, and had put books and other papers into his hands. Campbell was dilatory, and Scott, who had become impatient, went one evening to Campbell's lodgings. Campbell was absent, and Scott began to gather together the books that he had entrusted to Campbell. On finding his valuable copy of Bewick's *Birds* in a very dilapidated condition, he was not a little displeased, and his displeasure was much increased by

¹ Brydall's *Art in Scotland*, p. 203.

² *Memoirs of David Scott*, by W. B. Scott.



ROBERT SCOTT

*from the portrait by his son David Scott,
engraved by John Le Conte.*

the explanation of the landlady : ‘ That ’s the book Mr. Camel lights his candle wi’ when he comes hame at nicht.’ Scott executed many hundreds of engravings. Much of his work was for illustration of books, though many of his engravings were published separately. He contributed many of the illustrations for the *Scots Magazine* and *The Bee*. Many of his engravings are of Scottish landscapes. His twelve views in the environs of Edinburgh, particularly that of Melville Castle, are good work, done much in the style of the English engravers, Woollett and Byrne. Scott also did many portraits. His work is far from uniform, some of it being not even mediocre. He did not confine himself to one style of engraving. There is etched work and stipple work, as well as line engraving. Most of his plates were copper, but he engraved two portraits of Charles Rollin (1661-1741), the French historian, one in line on steel and the other in stipple also on steel. Both of these are after the portrait painted by the French artist, Charles Antoine Coypel (1694-1752).

Before adverting to the pupils of Scott and their work, it will be proper to refer to some of the line engravers who were contemporary with him.

Reference may be made to Hector Gavin, an Edinburgh engraver, who was working there during the last quarter of the eighteenth century, and probably for some time during the early part of the nineteenth century. The dates of his birth and death are not within the writer’s knowledge, but the following passage taken from *A Memoir of Thomas Bewick written by himself*, and published after his death, is interesting. Bewick is writing of a visit paid by him to Edinburgh in August 1776.

‘ On entering Edinburgh, having been recommended to the George Inn, Bristoport, I halted there ; but, being quite unacquainted with the customs of living in such places, I knew not what to do, or how to conduct myself. I, however, called for a pint of beer—and I think it was the first I had ever called for in my life—when, lo ! a good-

looking girl, bare-footed and bare-legged, entered with a pewter pot, almost the size of a half leg of a boot. This I thought I could not empty in a week. As I found I could not remain in this place, I sought for another, and luckily fell in with an old Newcastle acquaintance ; and to her I stated my case, went with her, and felt quite at home in her house. After I had seen as much of 'Auld Reekie' as I could, and been lost in admiration of the grandeur of its situation, and of its old buildings, I next day called upon Hector Gavin, an engraver, in Parliament Close. This kind man—a stranger to me—after a bit of a chat about the arts, etc., threw by his tools, and was quite at my service. The warmth of his kindness I can never forget. He took me all over Edinburgh, and gave me a history and explanation of everything he thought worthy of notice.'

Gavin seems to have worked in line, and two quaint heads by him, after paintings by James Wales, are in the possession of the writer and are strong pieces of work, though the size of the heads, which is about three-fourths of life size, gives them somewhat the appearance of caricatures. They are of Isobel Walker, who lived in the Parish of Daviot, Aberdeenshire, and died the 2nd day of November 1774, aged one hundred and twelve years ; and of Peter Garden, who lived in the parish of Auchterless, Aberdeenshire, and died 12th January 1775, aged one hundred and thirty-one years. Gavin and his son also produced accurate and beautifully engraved county maps of Scotland, which were published by Thomas Brown, bookseller, Edinburgh. .

Daniel Lizars was born in the earlier half of the eighteenth century and died in 1812. He was a pupil of Andrew Bell, and had already done some good general engraving work, when he sprang into prominence through some uncommonly good portraits which he engraved for Hume's *History of England*. Subsequently he engraved the portrait published in 1798 of Lord Justice-Clerk Braxfield, after the painting by Raeburn, and the portrait, published in 1804, of Sir Ilay Campbell, Lord President of the Court of Session, after the painting by David Martin. Both are well engraved, though

the general effect in each is somewhat hard. His son, William Home Lizars (1788-1859), was apprenticed to his father as an engraver, and he also studied at the Academy of the Board of Manufactures, having Wilkie as his fellow-student. His bent was towards painting, and he did some successful portrait and genre work. His 'Reading the Will' and 'A Scottish Wedding' both exhibited in the Royal Academy, and both engraved by Charles Turner, are now to be seen in the Scottish National Gallery. On the death of his father in 1812 domestic circumstances necessitated his abandoning painting to devote himself to the affairs of the engraving and copperplate printing business which had been established by his father, and which was for so many years carried on in premises at 61 Princes Street and in those at 3 St. James's Square, at present occupied by the firm of Mould and Tod. W. H. Lizars was a most prolific engraver, but his work was principally for book illustration. He engraved Crichton Castle for Scott's *Provincial Antiquities of Scotland*, and the engravings for Sir William Jardine's *Naturalist's Library*, in which the two volumes of humming birds, hand-coloured by artists in his employment, call for favourable notice. His *Picturesque Views of Edinburgh*, containing fifty-one engravings after drawings by J. Ewbank, is a work of more than merely local and topographical interest.

Francis Lamb, whose dates are approximately from 1775 to 1850, engraved a few excellent plates. The British Museum possesses only two, namely, 'Daniel in the Den of Lions,' after Rubens, and the 'Sleeping Boy,' drawn and engraved by Lamb himself. The painting by Rubens was sold in the Hamilton Palace collection in 1882 for £5145, and, it is believed, was bought back. In the picture the prophet is represented sitting naked in the middle of the den, his hands clasped, and his countenance directed upward with an expression of earnest prayer. Nine lions are prowling around him. The sale catalogue states that the picture was engraved by Blooteling, Van der Leuw, and Lamb, and in mezzotint by J. Ward, and that

there is also an etching of it by Street, extremely rare. In 1848 Lamb published in Edinburgh an account of his conversion and Christian experience, which he commences thus with evident self-pride in his achievements as an engraver:—‘I, Francis Lamb, author of the Engravings—Daniel in the Den of Lions, the Hunting of the Boar, the Hunting of the Stag, King Robert the Bruce in single combat kills Sir Henry de Bohun.’ From the memoir we gather that Lamb was born in the neighbourhood of Leith, and that, through the instrumentality of his parents and schoolmasters, together with what advantage he had from the ministry of Mr. Colquhoun of Leith, he had a religious education. When, however, he reached an age at which he describes himself as stript of his boyish innocence, he confesses to having indulged, with youthful companions, in folly and sin. He soon, however, forsook these ways, and seems to have led a life of Christian principle and practice. He seems to have resided for some time in Leith, but latterly he resided in Edinburgh. In 1844 he was living at 16 Cumberland Street.

John Beugo (1759-1841) produced some fine line engravings. Brydall in his *Art in Scotland* classes him ‘among the minor engravers in Edinburgh.’ He must refer to the quantity and not the quality of his work, for he says that he ‘distinguished himself in the art both in line and stipple,’ and if he had done nothing else than the engraving of Dr. Nathaniel Spens in the uniform of the Royal Company of Archers, after the portrait by Raeburn which hangs in Archers’ Hall, he would have been entitled to a place of honour as an engraver. Early impressions of this engraving have the name of the painter misspelt ‘Reaburn’ and are much valued. Warning, however, may be given, that a carefully executed line for line copy of Beugo’s engraving, containing this mistake in the artist’s name, and recently published, may easily be mistaken for the original. Beugo did a little work in landscape engraving, but his principal works were portraits, notably those of the Earl of

Denbigh, after Vandyck; Dr. Cullen, after David Martin; Dr. Adam Ferguson, after Sir Joshua Reynolds; and of Lord Kames. He had evidently a liking for the pawky-looking face of this quaint old Scottish judge, as he engraved it more than once. He was a personal friend of Burns, and engraved the portrait of the poet, for which Burns gave him sittings, which is prefixed to the first Edinburgh edition of the poems published by Creech in 1787. Beugo himself published anonymously in 1797 *Poetry, Miscellaneous and Dramatic, by an Artist*. A portrait of him by George Willison, and two pencil portrait sketches by R. C. Bell, are in the Scottish National Portrait Gallery, while another excellent portrait of him, painted by his daughter Agnes, hangs on the walls of Lodge Canongate Kilwinning.

Edward Mitchell was an engraver of note who worked contemporarily with Robert Scott, first at 13 Nicolson Square. In 1830 he was working at 5 Picardy Place, and in 1850 at 2 Leopold Place. He engraved the 'Death of Sir Ralph Abercromby'—from whom Abercromby Place takes its name—after the painting by Northcote. He also engraved twenty portraits of artists after Vandyck. These were published in 1816 by James Sawers, bookseller, Edinburgh.

An interesting portrait of 'Mr. William Coke, engraved by R. Kirkwood from a painting by William Nicholson in the possession of Archibald Constable, Esq., published by R. Kirkwood, 19 Parliament Square, Edinburgh, Jan. 7, 1816,' is in the possession of the writer. It is an effective piece of work, etched and finished in line. Coke commenced business as a bookseller in Leith, and developed a considerable trade. He was a man of indefatigable energy and was known to travel on foot to Edinburgh three or four times a day, for the purpose of supplying the needs of his customers. He would have performed the journey even if it were only to obtain a pamphlet. From information supplied by Coke himself, it was calculated that in his journeys between Leith and Edin-

burgh he had walked a distance exceeding twice the circumference of the earth. We are indebted to the biographical sketch in Kay's *Edinburgh Portraits* for the following concerning him :—

‘ One day Mr. Coke had overheated himself so much in walking from Leith to Edinburgh, that on arriving at his friend Bailie Creech the publisher's shop, he sent for a small quantity of whisky to bathe his forehead, as the fatigue had produced a very severe headache. Creech, who entered whilst the remedy was applying, exclaimed—“ Bless me ! what 's that you are doing, Mr. Coke ? ” “ Rubbing my head with whisky,” was the reply. “ No wonder,” rejoined the civic Joe Miller, “ that you are so very hotheaded.”

‘ Mr. Coke died in 1819, above eighty years of age. . . . His death was thus noticed in the journals of the day : “ At Leith, on the 18th May, Mr. William Coke, bookseller, who carried on business, in the same premises, for the long period of fifty-five years, and was the father of the bookselling profession of Scotland.” ’

R. Kirkwood, the engraver of the portrait, was the son of James Kirkwood, also an engraver. Father and son carried on business in Parliament Square under the firm name of James Kirkwood and Son, the business being afterwards transferred to premises in the new town at 11 South St. Andrew Street. Though the date of publication of Coke's portrait is 1816, the name of Kirkwood is to be found much earlier, as, for example in 1790, in the engraved illustrations after Rowlandson in Smollett's *Works*, published in that year by Bell and Bradfute. The Kirkwoods were mostly exponents of engraved ornamental writing. In Denovan's *New Picture of Edinburgh* 1806, the following short biographical notices appear :—

‘ MR. JAMES KIRKWOOD, SEN., Parliament Square

‘ This gentleman (bred a watchmaker) at a late period of life conceived an ardent passion for Ornamental Writing, in the engraving of which he soon outstripped all the regular bred artists. For neatness, correctness, and freedom, he has seldom been equalled ; he, however, is

rather eminent as a writing engraver than a designer. His son and partner, however,

MR. ROBERT KIRKWOOD

Possesses all his father's correctness, knowledge, and freedom ; has an accurate knowledge of a greater variety of characters, and a greater facility of execution. His fame is well known to the connoisseurs in the metropolis of England, from which he is in the habit of receiving various orders and higher prices than are paid to the first engravers there, which is conclusive of the opinion they entertain of his abilities. Genery, in his grand piece of Ornamental Penmanship, containing the names of the most eminent writing engravers, and now exhibiting in the Exchange of London, properly ranks this gentleman high amongst the number.'

Another engraver in line who worked in Edinburgh in the early part of the nineteenth century was Daniel Somerville. He engraved some book illustrations, as well as some topographical plates, including one of the Old Tolbooth of Edinburgh. Five of his copper-plates are exhibited in Lady Stair's House.

We shall now revert to the pupils of Robert Scott. Among these were included William Douglas, F. R. Hay, John Burnet, Thomas Brown, James Stewart, and John Horsburgh. The work done by Douglas, Hay, and Brown calls for no special comment. James Stewart, who was born in Edinburgh in 1791, studied under John Graham at the Trustees' Academy, and painted some good pictures, but his reputation rests chiefly on his engravings. He engraved several of Wilkie's pictures ; 'Tartars dividing the Spoil,' after Sir William Allan ; and the 'Royal Mail by Moonlight,' after Pollard, an aquatint in colours. He latterly emigrated to South Africa, where he became a sheep farmer, and where he died in 1863.

But of all the pupils of Robert Scott by far the most talented engraver was John Burnet. He was born at Fisherrow in 1784, and, having developed an aptitude for drawing, was sent to the Trustees' Academy, where he had Wilkie as a fellow student. No doubt it was due to the association

between these two in their student days that Burnet was led to engrave so many of Wilkie's pictures. Among these are the 'Jew's Harp,' the 'Blind Fiddler,' 'Reading the Will,' 'Chelsea Pensioners,' and the 'Village School.' He also engraved a 'Nativity' and a 'Crucifixion,' after Rembrandt; the 'Letter Writer,' after Metzger; the 'Cat,' after Mieris; and the 'Draught Players' and 'Greenwich Pensioners,' after paintings by himself. In his later years he published several works on art. He died in 1868 in his eighty-fifth year.

John Horsburgh was born at Prestonpans on 16th November 1791, and attended the Trustees' Academy, over and above serving his apprenticeship as an engraver. He did not, however, attempt painting, but confined himself to engraving. He practised his art first at 5 Archibald Place and afterwards at 18 Buccleuch Place, where he died on 23rd September 1869 in his seventy-eighth year. An obituary notice in the *Scotsman* contained the following :—

'Mr. Horsburgh's professional powers were versatile; he executed either figures or landscapes with equal judgment and taste. Among his portraits may be mentioned those of the late Mr. Mackay as "Bailie Nicol Jarvie," after Sir William Allan; two portraits of Sir Walter Scott—one after Raeburn and the other after Lawrence; and a portrait of Burns after P. Taylor—the portrait representing the poet in a broad-brimmed hat, about the genuineness of which there was much discussion, though its authenticity is now fully established. He also engraved a picture of Prince Charles reading a despatch, after William Simson, for the Royal Association; Italian Shepherds, after M'Innes, for the Glasgow Art Union, etc. In landscape, some of the finest plates in the quarto volume of Turner's works were by Horsburgh, also some of the vignettes after Turner for the illustrated edition of Sir Walter Scott's poetical works. Mr. Horsburgh was a man of amiable and excellent character, and of courteous, quiet, and even retiring manners. . . . For the last fifteen or twenty years he may be said to have retired from professional labour.'

Horsburgh engraved chiefly in line on copper. But he also

etched in outline seven plates illustrating events in the life of Robert Bruce, and contributed fifteen of the exquisite engravings on steel, after H. W. Williams' *Views in Greece*, published in 1829. His 'Plain of Marathon' and 'Athens from the hill of the Museum' are gems. He was also a contributor to the landscape illustrations in *The Land of Burns*, published in 1840. These steel engravings are all of the highest order.

Other contributors to these two publications, in addition to Horsburgh and to F. R. Hay and James Stewart, to whom reference has already been made, are, William Howison, William Miller, William Richardson, and William Forrest. William Howison (1798-1851) engraved the well-known picture of Curlers, by Sir George Harvey, the success of which as an engraving led to his being elected an Associate of the Royal Scottish Academy. He also engraved after the same artist the 'Covenanters' Communion,' and after Sir William Allan 'Polish Exiles,' and after Thomas Faed the 'Letter from the Emigrants.' He was engaged on this last mentioned plate when he died at his residence at 8 Frederick Street.

William Miller contributed no fewer than twenty-seven of the landscape engravings in the two publications referred to, but he did a great deal more. Throughout a long life—he died in 1887 at the age of eighty-six—he produced an enormous number of plates, all in line, mostly on steel plates. According to Ruskin he was Turner's best engraver; at all events he was the best of the line engravers after Turner. Frederick Wedmore, in his book on *Fine Prints*, says that 'the work of William Miller interpreted with quite peculiar exquisiteness those refinements of light which in Turner's middle and later time so much engaged his effort,' and to his engraving of 'Clovelly' in Turner's 'Southern Coast' series he applies the words 'perfectly exquisite.' These words may also be applied to his vignette engravings of Turner's illustrations of Scott, or his vignette engravings of Hood's poems, after Birket Foster. William Miller lived the whole of his life in

Edinburgh, first at 4 Hope Park, and thereafter at Millerfield House, Millerfield Place, on the south side of the Meadows.

William Richardson, who resided first at 3 Francis Place, then at 3 Summerhall Place, thereafter at 18 Talbot Place, and lastly at 18 East Preston Street, contributed eighteen of the landscape illustrations of *The Land of Burns*. He also engraved after Turner, and is scarcely inferior in his work to William Miller. 'Perfectly exquisite,' might be applied also to his steel engraving after Turner, 'Crossing the Brook.' Turner's picture is in the National Gallery. Richardson's engraving measures $10\frac{3}{8}$ inches by $8\frac{5}{8}$ inches. It is selected by Arthur Hayden as his principal illustration of the line engravings after Turner in his *Chats on Old Prints*.

William Forrest, who lived for very many years at 17 Archibald Place, contributed ten of the engravings for Williams' Grecian views and eleven of the landscape engravings for the *Land of Burns*. He did much other work. His principal plates are after Horatio M'Culloch, and it has been said that he did for M'Culloch what Miller did for Turner. His work is strong in his larger plates and dainty in his smaller work. His illustrations of the *Songs of the Edinburgh Angling Club* are charming.

Reference has already been made to the memoir of Thomas Bewick. He paid a visit to Edinburgh in August 1823, and says :—

'I visited the splendid exhibition of paintings of the late Sir Henry Raeburn' (Raeburn died 8th July 1823), 'the rooms of Mr. William Allan, historical painter, Mr. Stewart, engraver, and those of several others who were absent. With other artists, who were known to me, I spent some time in several calls. These calls were upon my old friend Mr. Nasmyth, landscape painter ; my townsman, Mr. Wm. Nicholson ; Mr. James Kirkwood, now up in years, but who had in his prime led the way to excellence in engraving. I also paid my respects to the son and successor of my kind friend of former days, the late Mr. Hector Gavin ; and the same to the sons and successors of the late Mr. D.

Lizars. All these had attained to that high degree of excellence which did honour to Edinburgh, now the seat of learning, and rendered brilliant by the gems of art, and by the science with which it is adorned. I have almost forgotten to name my being introduced to Messrs. Ballantyne and Robertson, lithographic printers. Whilst I was in their office, the latter pressed me to make a sketch on the stone for him. I was then preparing to leave Edinburgh, and the only time left me was so short that I was obliged to draw this sketch before breakfast the next morning, and the proofs were taken from it on the same day. In doing this, though very slight, I could see what that manner of making prints was capable of. I left Edinburgh on the 23rd August 1823, and I think I shall see Scotland no more.'

This lithograph print is 'The Cadger's Trot, sketched by T. B. at Edinburgh, 21st August 1823,' of which only twenty-five copies were taken. Slater, in *Engravings and their value*, says that this is Thomas Bewick's solitary specimen of lithography. This, however, is not so. It is probable that he visited Edinburgh again, for in 1825 Ballantyne and Robertson published lithographed portraits of Lords Moncreiff, Murray, and Jeffrey, and of Thomas Thomson, Advocate, all drawn on stone by Bewick.

Other Edinburgh engravers that may be mentioned are George Baird Shaw, who engraved the portrait in the Scottish National Portrait Gallery of George Wishart the Reformer and Martyr, and the portrait of Thomas Thomson, Advocate, after the painting by Robert Scott Lauder, R.S.A.; Robert Charles Bell (1806-1872), who did a great deal of good work both in portraiture and landscape, and contributed many of the engravings for the annual publications of the Fine Arts Association of Scotland; and John Le Conte, who died in advanced years in 1887. Le Conte also contributed many of the engravings for these last-mentioned publications. He worked in stipple and mezzotint as well as in line.

The list of the line engravers being now closed, it is necessary to complete the list of the Scottish etchers.

Reference has already been made to the brothers Run-

ciman, Clerk of Eldin, Adam de Cardonnel, David Deuchar, and John Kay. Early in the nineteenth century Hugh William Williams—'Grecian Williams' as he is called—in allusion to his celebrated Grecian landscapes, produced some first-class landscape etchings, some executed with the needle, others in the soft ground manner. Williams was born at sea in 1773, and died at Edinburgh on 23rd June 1829.

Charles Kirkpatrick Sharpe (1781-1851), *littérateur*, antiquarian, musician, and artist, produced quite a number of etchings, among the best known of which is that of Queen Elizabeth, as seen 'dancing high and disposedly' in her private chamber, by the Scotch ambassador, Sir James Melville, who describes the scene in his memoirs. There are also 'Muckle-Mou'd Meg,' 'The Feast of Spurs,' and several portraits. Messrs. Blackwood and Sons published in 1869 a volume of ballads, prose fragments, and etchings by Sharpe. Scott, who was his personal friend, says of him in his diary, under date 20th November 1855 :—'My idea is that C. K. S. with his oddities, tastes, satire, and high aristocratic feelings, resembles Horace Walpole—perhaps in his person also—in a general way.'

One of the foundation members and an Associate of the Scottish Academy was the landscape painter Patrick Gibson (1782-1830). In 1818 he published six etchings entitled 'Select Views in Edinburgh.' These are of greater topographical than artistic interest, though they are carefully executed. Mr. Gibson resided when these etchings were published at 23 Dundas Street.

But it is to Wilkie and Geddes that the great modern revival of etching not only in Scotland but throughout Europe and America is due.

Sir David Wilkie was a son of the manse. He was born in Fife in 1785, and when a lad attended the Trustees' Academy at Edinburgh, where in 1803 he won the ten guineas prize for his painting 'Diana and Calisto.' He was one of that continu-

ous stream of Scotsmen who ever since the Union have gravitated to London to occupy high positions there. The Royal Academy there elected him Associate in 1809, when he was only twenty-four years of age, and full Academician two years later. It was during a period when he was back in his native land that he painted the well-known picture of Sir Walter Scott and his family at Abbotsford. On the death of Sir Henry Raeburn, Wilkie was appointed King's Limner for Scotland. He was knighted in 1836, and died on 1st June 1841, in the course of his voyage home after a visit to the Holy Land, and was buried at sea. He etched only fourteen plates, but they are etchings of great power. They were all executed between 1819 and 1824. Four of these, including 'The Lost Receipt,' may be seen in the Print Room of the Scottish National Gallery. Wedmore in *Fine Prints* describes it:— 'A perfect little *genre* piece, called "The Receipt"—an old-world gentleman searching in a bureau, while a messenger waits respectfully at his side—being by far the best, and obviously a desirable possession.'

Andrew Geddes was born in Edinburgh in 1783. First entering the Civil Service, he abandoned it in 1807 and went to London, where he studied art in the schools of the Royal Academy. There he met Wilkie, and the two thereafter remained life-long friends. Geddes returned to Edinburgh in 1810, and practised as a portrait painter. Four years later he returned to London, which from that time till his death in 1844 became his headquarters, though he often paid lengthened visits to Edinburgh. He etched some forty or fifty plates in a masterly style. Some of these are original works. Others are copies and imitations of the old masters. Four are exhibited in the Print Room of the Scottish National Gallery. Two of these, 'The Artist's Mother' and 'Dull Readings,' are etched in dry point, and in reverse from the artist's own paintings in the same gallery. Wedmore says of him: 'It was in landscape chiefly that Geddes most success-

fully asserted himself . . . though in his few portraits (his mother's, perhaps most notably) the right decisiveness, simplicity, and energy of manner may not be overlooked.'

In 1849 Geddes's art possessions were sold at Christie's. Among them were thirty-six of his plates. Most of these were subsequently acquired by Dr. David Laing, who in 1875 produced them in the folio volume *Etchings by Sir David Wilkie and Andrew Geddes*. Recently Mr. Campbell Dodgson, in the fifth volume of the Walpole Society, has provided an exhaustive catalogue of all Geddes's etchings.

William Nicholson, born in Newcastle in 1784, was long resident in Edinburgh. He was the first secretary of the Scottish Academy from 1826 till 1829, and treasurer in the following year. He was a painter of portraits, his most successful being those painted in water-colours, a good example being that of 'Grecian' Williams in the Scottish National Portrait Gallery. He published a series of etched portraits of Scottish notables. These include Burns, George Thomson, Professor Playfair, Sir Walter Scott, The Ettrick Shepherd, Raeburn, Jeffrey, and 'Jupiter' Carlyle. They are done in a strong, free style, giving them the appearance of pen and ink drawings.

Walter Geikie, the son of Archibald Geikie, perfumer in Edinburgh, was born there on 9th November 1795. He was rendered deaf and dumb through a nervous fever from which he suffered when two years of age. Having manifested a taste for drawing he was admitted into the Drawing Academy in 1812, was made an Associate of the Scottish Academy in 1831, and a full Academician in 1834. He died on 1st August 1837, and was buried in Greyfriars' Churchyard. His fame will rest chiefly on his etchings, which display great vigour and humour. They include Edinburgh streets, houses, and street characters. Sir Thomas Dick Lauder, who took a great interest in Geikie's career during his lifetime, published a volume of his etchings a few years after his death.

David Roberts, R.A., H.R.S.A., who was born in Church

Lane, Stockbridge, Edinburgh, on 24th October 1796, and who died in London on 25th November 1864, and who attained a high position as a painter of architectural subjects, etched a few plates of ruined churches and castles in Scotland, of which he contemplated making a complete series; but with the exception of those of St. Andrews and Icolmkill (Iona) they are not of great merit.

Benjamin W. Crombie, born in Edinburgh in 1803, was the son of a solicitor. He was a miniature painter, but is best known by his forty-eight plates, each containing two portraits in a semi-caricature style of leading Edinburgh citizens. The plates are etched and tinted with colour. They were executed between the years 1837 and 1847. They were reprinted and published in 1882 by Adam and Charles Black, with biographical sketches, under the title of *Modern Athenians*.

David Scott, R.S.A. (1806-49), was the son of Robert Scott, engraver, and was at first apprenticed to his father as a line engraver. He studied at the Trustees' Academy, and devoted himself to painting, and gained great fame. His 'Traitor's Gate' is in the Scottish National Gallery, and 'The Spirit of the Storm,' his greatest picture, hangs in Trinity House, Leith. It is one of the largest canvases ever painted. The best of his etchings are his illustrations of Coleridge's *Ancient Mariner*, twenty-five in number, several of which are to be seen in the Print Room of the Scottish National Gallery.

William Dyce, R.A., H.R.S.A. (1806-64), produced a few etchings which are highly esteemed.

John Pettie, R.A., H.R.S.A. (1839-93) and John MacWhirter, R.A., H.R.S.A. (1839-1911), also produced some notable etchings. Two by the former, 'At Bay' and 'The Highland Outpost,' and one by the latter, 'By the Loch Side,' were exhibited in 1903 in the great loan exhibition of British Engraving and Etching at South Kensington. The same exhibition also contained an example, 'The End of the Forty-Five Rebellion,' of the etched work of the late William B. Hole,

R.W.S. Mr. Hole did quite a large number of etchings, some of them strong in character, notably that of Andrew Geddes's mother, after Geddes, and Don Adrian Pulido Pareja, after Velasquez. He etched in a manner peculiar to himself, and his etchings, being all printed in brown, have an effect not unlike sepia paintings.

The first exponent in Scotland of the mezzotint process of engraving was David Martin. He was born in 1737 at Anstruther, where his father was parish schoolmaster. A pupil in London of Allan Ramsay, portrait painter, son of the Scottish poet, he followed his master to Rome and studied the paintings of the old masters there. He ultimately settled in Edinburgh, where he painted many good portraits, and where he died in 1798. Two of his mezzotint portraits, namely, those of Jean Jacques Rousseau, after Allan Ramsay, and of Louis François Roubiliac, after A. Carpentiers, were shown in the Kensington exhibition. He also engraved in mezzotint David Hume, after Ramsay, and Rembrandt, after the painter. He also engraved in line, his principal engraving in that manner being that of Lord Mansfield, after the full-length portrait painted by Martin himself.

Next must be mentioned the celebrated engraver William Walker, who was born near Edinburgh in 1791. He worked in stipple mezzotint and line in Edinburgh and in London from about 1820 till the time of his death in 1867. His mezzotint and stipple portraits are justly celebrated and are much prized by connoisseurs. Among his many plates may be mentioned Burns, after Nasmyth; Scott, after Raeburn; Raeburn, after himself; Lord Brougham, after Lawrence; Lord Murray, after Raeburn; and John, Earl of Hopetoun, after Raeburn. Walker's address in Edinburgh was 22 London Street.

Thomas Hodgetts and R. M. Hodgetts were father and son. Little seems to be known concerning them. R. M. Hodgetts appears in Gray's *Annual Directory and Edinburgh Almanack* for 1837-8 as a historical and portrait engraver at Canonmills

Cottage. About this time father and son were engraving together under the firm name of Thomas Hodgetts and Son. In 1833 as a firm they engraved a mezzotint portrait of 'Robert Johnston, Esq., Edinburgh,' after the painting by William Smellie Watson, R.S.A., and another mezzotint of excellent quality of 'Francis, Lord Gray, æt. 42,' was engraved by the firm from the original picture by Sir Henry Raeburn. This engraving bears no date. Thomas Hodgetts was engraving as early as 1808, when he engraved the portrait of Captain Charles Morris, the song writer, after Oliver, and he engraved a portrait of Lord Nelson, after Sir William Beechey, as late as 1840. Between these dates he produced some work of very high quality, as for example the portrait of General Sir David Baird, Bart., with horse, Colonel Ranaldson Macdonell of Glengarry, both after Raeburn; John Hunter, LL.D., Professor of Humanity in St. Andrews from 1775 to 1827, after Watson Gordon. He also executed a mezzotint portrait of George IV., which was published by David Hatton, Printseller to His Majesty, 98 Princes Street, Edinburgh. It bears to be after a painting by Raeburn; but no such painting is known to have been done by Raeburn, and it is believed that Hodgetts adapted the portrait of Professor George Joseph Bell for the mezzotint of the King. He also engraved a Descent from the Cross, after the picture painted by David Scott for the Church of St. Patrick in Edinburgh. R. M. Hodgetts produced some mezzotints which bear his name alone. One of these is of Sir William Macleod Bannatyne of Bannatyne, one of the retired senators of the College of Justice, after the portrait by George Watson, P.S.A. As Lord Bannatyne retired from the bench in 1823, and in the same year received the honour of knighthood, and died in 1833, this engraving must have been published between these two years. As a mezzotint it has good qualities; so has that of Sir Thomas Burnett of Leys, Baronet, after Frith, but R. M. Hodgetts was inferior to his father as a mezzotinter.

Between 1840 and 1850 the brothers William and Thomas Bonnar produced some good mezzotint portraits, chiefly after paintings by the elder brother. William Bonnar was the son of a well-known house painter, and was born in Edinburgh in 1800. He was for a time engaged in his father's trade, but in 1824 he abandoned it and devoted himself to art. In 1830 he was chosen an Academician of the Scottish Academy. Latterly he devoted himself almost entirely to portrait painting. He died in Edinburgh in 1853. His portrait painted by himself is the single example of his art in the Scottish National Gallery. It was presented by his younger brother Thomas. Thomas Bonnar was born in Edinburgh in 1810, and, though he had a desire to devote himself to art, he continued in the possibly more lucrative business of a house-painter and decorator. In this business he acquired a high reputation, and many of the castles and mansions of Scotland still contain the decorative work of his hand. Thomas Bonnar survived his brother by twenty years, dying on the 3rd of January 1873. In 1844 the two brothers published a mezzotint portrait of Isabella, the sister of Robert Burns. She was born at Mount Oliphant in 1771, married at Mossgiel, in 1794, John Begg, farmer, Roughdyke, Mauchline, afterwards factor at Blackwood, and died at Ayr, 1858. The portrait, as the plate bears, was 'painted by W. Bonnar, Junr., and Engraved by W. and T. Bonnar, 28 London Street, Edinburgh,' and was dedicated to John Wilson, Professor of Moral Philosophy in the University of Edinburgh. In the same year the two brothers did further work in mezzotint portrait, and two portraits in mezzotint, published in 1846, of the Rev. David Welsh and the Rev. John Robson, are in the possession of the writer. These engravings are all of good quality.

Another engraver, who was certainly working in Edinburgh as early as 1839 and as late as 1870, was Thomas Dick. He carried on his engraving business at 42 Lothian Street, and afterwards successively at 8 Mary Place, 13 Hill Place, and

12 Sciennes. Some good plates came from his hand, as, for example, that of 'The Honble. Alexander Maconochie of Meadowbank, one of the Senators of the College of Justice in Scotland' (the second Lord Meadowbank), after Sir Henry Raeburn, engraved in 1839; 'The Right Honble. Adam Black, Lord Provost of Edinburgh,' after Watson Gordon; and 'Captain Orr, Superintendent Scottish Naval and Military Academy,' after Robert Innes. He also engraved a landscape in mezzotint after Horatio M'Culloch, entitled 'Moonlight.'

John Le Conte also scraped some mezzotints. One of these which was privately printed, only a few copies being taken, was of Robert Scott the engraver, from a painting by David Scott his son.

Alexander Hay was an engraver who carried on business in Edinburgh for thirty or forty years during the nineteenth century, first at 150 High Street, and latterly at 4 North Bridge. Three small mezzotints by him are in the possession of the writer. They are of David Hume, historian and philosopher; Walter Macfarlane, of Arrochar, antiquary; and the Reverend John Jamieson, D.D., the compiler of the dictionary of the Scottish language. They are well scraped on a particularly fine ground.

Edward Burton, who lived at Colinton during the greater part of the nineteenth century, produced a number of splendid plates in mezzotint. Among these are Lord Robertson, after Thomas Duncan, R.S.A.; Dr. William Cunningham, after John Faed; Lord Murray, Lord Dunfermline, both after Watson Gordon; Sir John Watson Gordon, after himself. The best are Lord Dunfermline and Lord Robertson. Of the latter the story told by Lockhart in his *Life of Scott* will be remembered. One day Scott approached the fireplace in the Parliament House with his bald, conical, unwigged head. 'Hush, boys,' said Robertson, 'here comes old Peveril—I see the Peak,' to which Scott retorted on hearing what the remark had been that had caused the laughter. 'Ay, ay, my man,

as weel Peveril o' the Peak, ony day, as Peter o' the Painch,' a retort which delighted every one except the corpulent Robertson. An outstanding feature of all Burton's mezzotints is the extremely fine quality of the ground. In order to understand how this result is attained it is necessary to know how the engraver prepares his plate before he proceeds to execute his design. The copper-plate must first be uniformly indented all over its surface with small indentations, which are imparted to the plate by the teeth of a rocker which the engraver rocks over the face of the plate in parallel lines. After these lines of indentations have been imparted to the plate in one series of lines the process is repeated by another series of lines imparted in another direction, and this process is repeated again and again, the direction of the parallel lines of indentations being changed every time, and the whole plate rocked over on each occasion. John Raphael Smith was perhaps the greatest of the English mezzotinters, and he, after many trials, devised a scheme for rocking his plates in certain directions with mathematical accuracy. That scheme was laid down by him on paper showing the direction of the lines of rocking the plate in the order of their succession. That scheme was after Smith's death passed on to Charles Turner, another great English mezzotinter, and from his hands it passed into those of Burton. It is now in the possession of a professional gentleman in Edinburgh, who has himself produced mezzotint work of great merit. If an impression were taken from the plate immediately after the rocking process was completed, the result would be a print of a uniform shade corresponding with the velvety black which is the darkest shade in the finished mezzotint. The design is thereafter obtained by a process of scraping away the surface of the plate. The various depths of tone are produced by this process of scraping away, the absolutely white portions of the picture being secured either by reversing the plate and laying it face down on a flat surface, and then punching back

those portions so that they will not carry ink when the printing process takes place, or by carefully wiping the ink from those portions of the plate before each printing takes place. The meaning of mezzotint is the gradation of tints *between* (mezzo) the velvety black and pure white. The French style mezzotint, '*gravure en manière noire*.' It will be seen from the foregoing how all important is the careful preparation of the plate. In this preparation Smith, Turner, and Burton were past masters.

Last, but not least on the list of Scottish mezzotinters, comes James Faed. Born in 1821 he was producing mezzotints such as 'Bo Beep' after his brother Thomas Faed, and 'The Dead Robin,' after R. T. Ross, for the Royal Association for the Promotion of the Fine Arts in Scotland, as early as 1849, and he was still producing first-class mezzotint work as late as 1898. He died at 7 Barnton Terrace on 23rd September 1911, in his ninety-first year. During his professional life he engraved no fewer than 133 plates. Among other notable plates may be mentioned: Dr. Chalmers, after John Faed; Dean Ramsay, after Watson Gordon; Sir Robert Peel and the Duke of Wellington (in the same plate), after Winterhalter; the Duke of Portland, the Duke of Buccleuch, the Duchess of Sutherland, Lord Fife, and Lady Seafield, after Sir Francis Grant; Evangeline, after Thomas Faed; 'Shakespeare and his Friends,' and 'Shakespeare in his Study,' after John Faed; Mr. Constable, after Raeburn; 'Satan Watching the Sleep of Christ,' 'The Man of Sorrows,' and 'Lux in Tenebris,' after Noël Paton; 'Robinet' and 'Simplicity,' after Reynolds; and Lord Dalkeith (afterwards the late Duke of Buccleuch), after Oules. His work is a gallery of splendid engraving.

It will be obvious from the foregoing that no other city in the Empire outside of London can present a record in the art of engraving at all approaching that of Edinburgh.

JOHN C. GUY.

THE OLD TOLBOOTH

EXTRACTS FROM THE ORIGINAL RECORDS

[Continued from Volume VIII., p. 158]

THE following extracts are from the

Releife Book, July 24, 1679, to August 4, 1688.

Warding Book, October 1, 1680, to October 3, 1687.

January 10th 1683 [should be 1684]

S^r ffances Oglvie now of Newgrange designed in the band under-
written of Presdo wairdit be vertew of l^res of caption at ye instance of
James Philpe of Alinrie for not payt making to him of ye soume of
ffoure thousand merks Scots money of prin^l with certaine @ rents &
expenss contained in a band granted be ye deceist S^r James Ogilvie of
Newgrange as prin^l & ye sd S^r ffances as caur to Mr James ffrazer
minister off Arbroth daited ye 20 of Novr 1661 Regrat in ye Shiref court
books of fforfar vpon ye 30 of March 1682 & asigned be him to W^m
Gray of Haystoun shiref clerk of forfar vpon ye 8 of May 1662 &
transfered be ye sd W^m Gray to ye sd James philpe vpon ye 18 of No^r
ye sd yeir 1662 as ye sd l^res of caption more fullie beares. . . .

S^r ffances
Ogilvie
warded.

[See following extract.]

January 10th 1684

The Lords of his Mäties privie counsell considering that S^r ffances
Ogilvie of Newgrange is imprisoned within the tolbooth of Edr efter
citation given to him to apear befor the counsell at ye instance of Mr
John Adamsone indueller in Edr for seall crymes The saids lords to ye
effect the said S^r ffances may be able to apear & defend in the sd action
doe heirby give order & warand to ye Magistrats of Edr To set ye sd
S^r ffances at libertie and in ye meantyme Grants the sd S^r ffances

S^r ffances
Ogilvie set at
liberty.

personall protection untill ye 20 day of Janry instant dischargeing heirby all Magistrats mess̄rs at armes officers within brugh & vyrs of puting any l̄res of caption or acts of wairding in execution agst his person for any civell caus or debt during ye forsd space

Sic Sub Aberdein Cancell.

Alex^r St Andrewes Douglas Linlithgow Tuedaill Livingstoun Geo: McKenzie George McKenzie J Drumond

Sic Sub Will: Paterson

January 10th 1684

Mr Anthonie
Shaw
warded

Mr Anthonie Shaw wairdit by ye lords of his M̄aties privie counsell with a pairtie of Captain Grahams gauird

[Anthony Schaw A.M., m. of Loudoun, or Newmills, formerly of Paisley ; indulged. Died of a bleeding at the nose before 20th Sept. 1687 aged about 68. *Fasti*.

See January 22nd.]

January 11th 1684

Mr John
Campbell
warded.

Mr John Campbell entered into prison by Captaine Hewgh Campbell conforme to his obleissment & the Lords of his M̄aties privie counsell ther order

[M. of Sorn formerly Dalgain. See January 24th when he was 'releived' after which, according to *Fasti*, nothing more is known of him.]

January 11th 1684

Mr John
Caldwell
minister
warded.

Mr John Caldwell minister at portpatrick wairdit be vertew of l̄res of caption at ye instance of William Hamiltoun of Wishaw for not payt making to him of ye soume of fyftie merks Scots money of prin^{ll} tuentie merks of expenss & certaine bygain @ rents contained in ane band granted be him to ye sd W^m hamiltoun therfor daited ye 14 off August 1675 Regrat in ye books of counsell & sesion vpon ye first off August 1678 And also for not payt making to him of ye soume off ane hundreth & foure score foure pounds Scots money of prin^{ll} fourtie pounds of expenss & certaine bygain @ rents contained in ane band granted be him as prin^{ll} & vmqle Mr James Hamiltoun as ca^{ur} to John Corsan of Smeck ¹ daited 3 Dec^r 1668 Regrat in ye books of Session

¹ This word is uncertain in the original.

vpon ye 1st of August 1678 & asigned be ye sd John Corsan to ye sd W^m Hamiltoun of Wishaw vpon ye 13 of May 1670 As ye sd l^res of caption more fullie beares. . . .

‘ Releived ’ January 30th.

[John Caldwell A. M. m. of Portpatrick. Died at Edinburgh in June 1689, aged about 54. ‘ Debts were awin him amounting to v^cxxii. Elizabeth Forrester, his mother-in-law, being executor.’ *Fasti.*]

January 17th 1684

George Daulling skiper in Queinsferie wairdit by order of ye lords George Daulling warded.
of privie counsell John henderson meacer

[See January 18th.]

January 18th 1684

At Edr ye 18 of Jan^ry 1684 annent a petition presented be George Daulling skiper in Queinsferie shewing that q^r in ye action persewed be James Hill Bailzie in Queinsferie agt ye petitionner befor ye counsell The petitioner wes fyned in thrie hundreth merks & comitted to prison to remaine during the counsellis pleas^r And ordained to pay the wholl witnesss expenss that was adu^ced in ye proces And sieing that the said petitioner had made pay^t of ye fyne to his M^aties Cash Keiper & is content to satisfie ye witnesss according as ye counsell shall modifie And as the Counsell hes bein most just good & favourable to ye petitioner in ye above-w^tin sentence It is humblie craved the Counsell wold order his liberaⁿ sieing he is under charter pairtie for france The Lords of his M^aties privie Counsell haveing heard & considered the forsd petition with ane vyr petition in behalfe of James Hill suplicating that some pairt of ye fyne might be apoynted to him for his expenss of pley Doe apoynt the dec^t yesterday pronounced to be mendit And 200 merks yrof to be payed to ye King & 100 merks to ye sd James Hill for his expenss And in regaird he hath made payt yrof & of the witnesss expenss accordinglie Doe ordaine the Magistrats of Edr to set him at libertie

George Daulling liber-
ated.

Sic Sub Pat: Menzeis

January 18th 1684

S^r William Scot of Harden wairdit be vertew of l^res off caption at ye instance of Hew Wallace his M^aties cash keiper for not pay^t making

Sir William
Scot of
Harden
warded.

to him for his Mäties uss of ye soume of ten thousand ane hundreth tuentie fyve pounds Scots as ye fourth pairt of his valued rent for ye keiping of thrie hous conventicles wher he & his laidie wer present be his owne confession and also of ye soume of Threttie six thousand pounds as ye sextein pairt of his valued rent for his Laidies constant withdrawing from hir paroch kirk contained in ane dect obtained agst them befor Adam Urquhart of Meldrum vpon ye second of August last as ye sd lres of caption more fullie beares be vertew grof James Guthrie messr

[See May 3rd.]

January 22nd 1684

Laidy Jeriswood to have access to her husband.

The lords of his Mäties privie Counsell having considered a petiōn presented be ye Laidy Jeriswood doe allow hir to have access to speak with hir husband in prison provyding q̄t pas betuixt them be in the hearing of on of ye Masters of ye tolbooth or Captaine Grahame And this order to conteinew till thursday nixt at night

Sic Sub Will Paterson

[See February 8th.]

January 22nd 1684

Mr Anthonie Shaw set at liberty.

At Edr the 22 of Janry 1684 annent a petition presented by Jonnet Tailzier spous to Mr Anthonie Shaw prisoner showing that q̄r the petitioners husband being ane old man neir 70 yeires and by age & infirmitie brought very low and by his restraint by all human apearance in great danger of his lyfe And q̄ras the petitionner is a poore gentl-woman haveing litle to mantein hir & hir famellie and not in a condition to bear ye expence of atending him heir And shee being desyrous of nothing more in ye world then to oversie & be present with hir husband now in his great distres & near his expyring & haveing dealt with seäll of hir frinds to be cau^{on} for him And therfor humblie suplicating that ye counsell wold be pleased to set ye petitionners husband at libertie to ye efect he may be transported to some place in ye countrie q̄r shee may atend him being now by apearance in a dieing condition The lords of his Mäties privie counsell having heard & considered the forsd petition doe heirby give order and warand to ye Magistrats of Edr to set ye sd Mr Anthonie Shaw the petitionners husband at libertie in regaird he

hath found sufficient cauⁿ acted in ye books of privie counsell That he shall not keip conventicles in houss or feild nor baptize nor marie bot shall demaine himselfe peaceablie & loyallie & be a regular heirer and frequenter of ye publict worshipec in ye paroch church q^r he shall hapen to reside wnder ye penaltie of fyve thousand merks Scots money in caice of failzie

Sic Sub Will: Paterson

January 22nd 1684

forsameikle as ther being ane adres presented to the lords off his Mäties privie counsell by Mrs Elizabeth Carstaires spous to Mr William Carstaires prisouner that shee might have acces to hir sd husband The lords of his Mäties privie Counsell vpon ye considera^{nes} contained in ye said adres doe heirby give order and warand to ye Masters of ye tolbooth of Edr to sufer the said Mrs Carstaires to have access to hir sd husband in prison provyding that what pases betuixt them be in the sight and in the hearing of on of ye masters of ye said tolbooth or of Captaine Graham And this order and allowance to indure and conteinew till tuesday nixt being ye tuentie nynth instant

Mrs Elizabeth Carstairs to have access to her husband.

Sic Sub Will: Paterson

[See February 8th.]

January 24th 1684

The Lords of his Mäties privie counsell haveing considered the petition of the Laidie Sesnock desyring that shee might be allowed access to hir husband and father in law prisoners in ye tolbooth of Edr Doe heirby allow the petitiouner to have access to hir husband and father in law provyding what pases betuixt them be in hearing & presence of ye Masters of the tolbooth or Capt Graham or any one of them And ordeanes this warand till continew till tuesday nixt in ye efternon

Laidie Sesnock to have access to her husband and father-in-law.

Sic Sub Pa: Menzeis

[See February 15th.]

January 24th 1684

The lords of his Mäties privie Counsell haveing considered the petition of Mr John Campbell lait minister of Dalgean prisoner in the tolbooth of Edr by y^r sentence suplicating that in regaird he is not able to find cauⁿ by reason of his meannes & povertie for obsyrving ye said sentance & that he is content to give his oath thervpon and to enact

Mr John Campbell liberated.

himselfe to ye efect underwritten The sds Lords doe heirby give order & warand to ye Magistrats of Edr To set ye sd Mr John Campbell at libertie In regaird he hath given his oath befor a comittee of ther number that he is not able to find cauⁿ And hath enacted himselfe that he shall not heirefter keip hous or feild conventicles baptize nor marie And that he shall frequent ye ordinances in ye place q̄r he shall hapen to reside And to compear befor ye counsell when called for to ansyr to any thing cane be laid to his charge. And that under ye penaltie of fyve thousand merks Scots money in caice of failzie

Sic Sub Will: Paterson

January 28th 1684

Margaret
Garnock
liberated.

Margaret Carnoch [*sic*] releived by the privie counsell the tenor q̄rof followes the L̄ds of his m̄aties privie C[o]unsell having considid a petition presented by Margret Garnock prisoner in the tolbuith of Edr for her alledged conversing with rebels and disaffected persons within the toune of Dalkeith supplicatting that in regaird that it is notorlie knowen the petitioner hes alwayes lived loyallie and orderlie, and that she hes continued thes 12 monthes past in prison wtout any cryme maid appeir against her, ordor might be granted for hir libertie w^t the report of the L̄d advocat anent her condition, Doe heirby give warrand to the Magistrats of Edr to set the sd Margret Garnock at libertie

Sic Sub Will: Paterson

January 30th 1684

W^m fforbes of
Ludquharne
liberated.

William fforbes of Ludquhaerne by ane order from the privie cunsell the tenor q̄rof followes The L̄ds of his M̄aties privie cunsell haveing considered the petition of W^m fforbes of Ludquharne prisoner in the tolbuith of Edr upon the accompt of the casuall slaughter of Allan Grant with his m̄aties remission produced in his favor and consent of his m̄aties advocat for his liberation Doe heirby give ordor and warrand to the Magistrats of Edr immediatlie to set the sd wm fforbes at libertie

Sic Sub Will Paterson

January 31st * 1684

Margaret
Anderson
liberated.

Margaret Anderson releived by ane ordor of privie cunsell as followes the L̄ds of his M̄aties privie Cunsell having considered the

¹ ? Should be 30th.

petition of Margaret Andersone laite servitrix to James Oswallud then in Edr, for attempting the escape of alexr Gordon of Earlstone, supplicating that in regaird of her miserable & poor condition and long imprisonment order might be granted for her libertie, Doe heirby give ordor to the Magistrats of Edr to set the sd Margaret andersone at libertie in regaird of her long imprisonment upon the accompt forsd

Sic Sub Will Paterson

[See May 3rd.]

January 30th 1684

John Edmond Charles Jolly and Charles Thomson prisoners in the Tolbuith of Edr The Lds off Comittie of Cunsell for publick affairs doe ordaine the magistrats of Edr to sett them at libertie

Sic Sub Will Paterson

[See February 8th.]

John
Edmond,
Charles
Jolly, and
Charles
Thomson
liberated.

January 30th 1684

John Armstrong releived by consent of allexr Tueddall present deacon and W^m Mckmath present boxmaster to ye Incorporation of the walkers for not peyt making to the sd Incorporation of the hundreth and sextie mks as ye yearlie tack dutie of the mills Colling-toune mills as the sd consent of the dait 5th day off feb 1684 mor fullie beares

John Arm-
strong liber-
ated.

January 30th 1684

Mr John Caldwell minister releived by consent of William Hamiltoune of Wishaw for not payt making to him of the soume of fiftie mks Scotts prin^l w^t certane @ rents & expenss and also for not payt making to him of the soume of ane hundreth four scor four pundis w^t certane @ rents and expenss as the sd consent daited the 6th of febr more fullie beares

Mr John
Caldwall
minister
releived.

January 30th 1684

John Strachan baylie of Muselburgh releived by ordor of privie Cunsell as followes The Lds of Privie Cunsell haveing heard and considered a petition presented be John Strachan baylie in Mussalburgh

John
Strachan re-
lieved.

ordain the Magistrats of Edr to set him at libertie in regaird of the interposall and intercession of the Earle of Tweddall in his behalff

Sic Sub Will Paterson

[See February 20th.]

January 31st 1684

W^m Muir yr
of Rowalland
relieved 'in
regaird of his
sicknes.'

The Lords of his māties privie Cunsell haveing considered ane address presented by William Muir younger of Rowalland together w^t a certificat under the hand of S^r David Hay on of his māties phisitians in ordinarie of his present great sicknes and distemper Doe grant order and warrant to the magistrats of Edr to transport the person of the sd William Muir from the Tolbuith of Edr to a chamber in the house of Walt^r Stewart in Wilkies Land neir to the Court of guaird ther to remaine for the space of 14 dayes that phisitians and others may attend him in ordor to his health in regaird he hath fund sufficient catione acted in the bookes of privie Cunsell that betuixt and the 23 of febr instant he shall re-enter his person in prison wⁱⁿ the sd Tolbuith and that in the meanetye he shall confyne himselff to the sd chamber and ludging under the penaltie of ane thousand punds sterlin

Sic Sub Will Paterson

[See March 21st.]

January 31st 1684

Mr Eneas
McPherson
liberated.

The L^{ds} of his māties privie Cunsell haveing considered the report of the comittie appoynted to consider the difference betuixt Comissary Dalrumple and Mr Eneas McPherson beiring that they had agreed and settled them and considered the address maid by the Comissary of Edr Doe take of any restraint put upon them by yr order and givis warrand to the magistrats off Edr to set the sd Eneas McPherson at libertie.

Sic Sub Pa Menzies

[See February 13th.]

January 31st 1684

Mr. Robert
Murray
relieved.

Mr Robert Murray sone to George Murray of Tippermuire releived by order of the L^{ds} of Cunsell as followes Edr 21 febr [sic] 1684 The L^{ds} of his māties privie Cunsell having considered the petition of Mr Robert Murray sone to George Murray of Tippermuire prisoner in the

Tolbuith of Edr upon the considerations \bar{y} in contained heirby give ordor & warrand to the Magistrats of Edr to set the sd Mr Rot Murray at libertie in regaird he hath fund sufficient catione acted in books of privie Cunsell That he shall compeir befor the Cunsell when called for to ansyr to any thing can be layed to his charge under the penaltie of Two hundreth pund sterlin money in caice of faylie, and \bar{y} t in the meane tyme he shall live peaceablie and loyallie under the forsaid penaltie

Sic Sub Will Paterson

January 31st 1684

The Lords of his māties privie Cunsell having considered ane address maid in behalff of Robert Ross of Achlossin prisoner in the Tolbuith of Edr be sentance of cunsell of the 28 instant Doe ordaine the magistrats of Edr to set him at libertie In regaird he hath maid payt of the fyne of four hundreth m̄ks imposed upon him qroff 3 hundreth m̄ks to the King and ane hundreth m̄ks to the party

Robert Ross
liberated.

Sic Sub Will Paterson

January 31st 1684

Thomas Steivin releived by ane order of the Lords as followes Thomas Steivin being imprisoned in yor Tolbuith as a witness against munkland for prevaricating in his depositions The Lds in respect he hes lyen long in prison They \bar{y} rfor w^t consent of his māties advocat ordaine him to be set at libertie

Thomas
Steivin
releived.

Sic Sub Ja Foulis J P D

[See April 8th—Robert Hamilton.]

February 8th 1684

John Edmond

Charles Jollie

Charles Thomson all wairdit by order of ye counsell & wer transported by ye sd order from on board ye rod of Leith by ane pairtie of ye Granadiers the serjent took away the warand.

John
Edmond
Charles Jollie
and Charles
Thomson
warded.

February 8th 1684

The Lords of his Māties privie Counsell haveing considered ane adres made to them in behalfe of ye Laidies Jeriswood & Laidie Graden that they might have access to ye laird of Jeriswood & to sie & speak with them Together with ye opinion of ye lords of ye comittie for publict

Laidies Jeris-
wood and
Graden 'to
sie and speak
with ye
laird of Jeris-
wood.'

afaires therannent Doe grant warand & allowance to the keipers of ye tolbooth of Edr to give access to ye sds Laidies Jeriswood & Graden at such seasonable houres as ye sd keipers shall think fit provyding that what be spokk amongst them be in ye hearing & presence of ane of ye keipers And that the tyme of ther access be not when they have allowed any vyr of the prisoners relationes to speak with him As is ordered by ane act of ye daite heirop And this order to continew during ye Counsellis pleasyr

Sic Sub Will: Paterson

[See April 18th.]

February 8th 1684

Mrs. Carstaires, and Mr. Carstaires' mother and sisters to see him.

The Lords of his Mäties privie Counsell having considered ane adres made to them in behalfe of Mrs Carstaires & Mr Carstaires prisoner his mother & sisters that they might have acces to ye sd Mr Carstaires & to sie & speak with him Together with the opinion of ye lords of ye comittie for publict afaires therannent Doe grant warant & allowance to ye keipers of ye tolbooth of Edr to give acces to ye sd Mrs Carstaires & Mr Carstaires mother & sister to speak with ye sd Mr Carstaires at such seasonable houres as the sd keipers shall think fitt provyding that what be spoke amongst them be in hearing and presence of on of ye keipers And that the tyme of ther access be not when they have allowed any vyr of ye prisoners rela^ones to speak with them As is ordered by ane act of ye daite heirop And this order to continew during the counsellis pleasyr

Sic Sub Will: Paterson

[See April 22nd.]

February 13th 1684

Eneas McFerson warded.

The lords of his Maties privie counsell ordaine a mecer of Counsell to transport the person of Mr Eneas McFerson from ye place q̄r he is to ye tolbooth of Edr q̄r he is to remaine prisoner till furdre order

Sic Sub Aberdeen Cancell

February 14th 1684

Mr. Elechiall Montgomrie warded.

Mr Elechiall Montgomrie wairdit be order of ye lords of his Mäties privie Counsell

[See February 23rd William Fyfe.]

February 15th 1684

Ralph Dundas of that ilk wairdit at ye instance of George Drumond Mert burges off Edr and now present Lord provost theroff who hes right be vertew of lres of retrocesion in manner vnder written be vertew of lres of caption raised at ye instance of David Howieson mert burges of ye sd brugh assignay . . . for not payt making to him of ye soume off seven hundreth threttie foure pounds Scots money of prin^l Two hundreth merks of expenss and certaine bygaine @ rents contained in ane band granted be ye sd Ralph Dundas to ye sd George Drumond daited ye 27 of May 1675 Regrat in ye books of sesion ye 3 of March 1676 . . .

Ralph
Dundas of
that ilk
warded.

[See next extract.]

February 15th 1684

Ralph Dundas of that ilk afoirsd areisted be vertew of lres of caption raised at ye instance of James Boyd Mert burges of Edr & seā^l vyr persones yrin nominat his curatores for not payt making to him of ye soume of sex hundreth sextie eight pounds seven shilling four penies Scots money of prin^l tuo hundreth pounds of expenss & certaine bygaine @ rents . . .

Ralph
Dundas of
that ilk
arrested.

[See later extract under February 15.]

February 15th 1684

The Lords of his Mäties privie Counsell having considered ane adres made to them in behalfe of ye laidie Sesnock desyring to have access to hir husband & father in law & to sie & speak with them Together with ye opinion of ye lords of ye comittie for publict afaires yrannent Doe grant warand & allowance to ye keipers of ye tolbooth of Edr To give access to ye sd Laidy Sesnock to speak with hir husband and father in law at such seasonable houres as the keipers shall think fitt provyding that what be spok amongst them be in hearing & presence of ane of ye keipers And that ye tyme of hir access be not when they have allowed any vyr of ye prisoners rela^{nes} to speak with them as is ordered by ane act of ye dait heiroff And this order to continew during the counsellis pleasyr.

Lady Ses-
nock to see
and speak
with her
husband and
father in
law.

Sic Sub Will: Paterson

[See March 15th.]

February 15th 1684

Ralph
Dundas of
that ilk
arrested.

Ralph Dundas of that ilk afoirsd areisted . . . at ye instance of
Margaret Hay relict of ye deceist James Ruthven mert burges of
Edr . . .

[For a debt. See also April 22nd.]

February 17th 1684

The Tutor of
Blackwood
relieved till
first May
1685.

William Lourie of Blackwood releived the tenor q̄roff followes
Edr 15 day of febr 1684 yeirs anent a petitione presented by James
marquis of Douglas sheweth that q̄rupon the Cunsells recommendation,
his mātīe hes beine gratuslie pleasd to remit the sentance of for-
faulture pronouncd against William Laurie Tutor of Blackwood as to
his lyff and also upon the petitioners application, and in regaird of his
seā^{ll} process against his faȳrs creditoȳs who ar most unjustlie distress-
ing him for considerable soumes, and with consideratione to the severall
processes persewed at the petitōȳs instance against seāll persones, his
mātīe hes beine pleased to forbear the determination as to the sd
William Louries confynment or banishment, and authorized and re-
quyred the Counsell to allow such tyme as they thought fitt, for finishing
thess processes wherin the petitioner is concerned to the sd William
Lawrie free from confynment or banishment and efter elapsing yrof to
report the same to his mātīe, that his Royall pleasure might be then
shewen ȳranent as his l̄rē daited the 31 day of Jārij beirs and ȳrfor
humbly suplicating that the Cunsell wold be pleased since the peti-
tioners affairs doe presentlie call for the sd William Lowries assistance
to ordor him to be sett at libertie In the termes of his mātīes l̄rē upone
the petitioners enacting himselff to the effect underw̄r̄ne, the l̄ds of his
mātīes privie Cunsell haveing heard & considered the forsd petitione
and seine his mātīes comissionē in favors of the sd William Laurie Tutor
of Blackwood past the great seall, and considered his mātīes l̄rē sent to
them with the same remission, Doe grant order and warrant to the
magistrats of Edr to sett the sd William Laurie at libertie and allowes
him to continue at libertie till the first of May 1685 in order to the
clearing of the accompts of the marquis of Douglas, the sd marquis of
Douglas being enacted that he shall fulfill and performe his mātīes
determinatione and pleasure concerning the sd William confynment or
banishment as to his mātīe shall seime most fitt, conforme to his ma/

said letter and that under the penaltie of fyve hundreth punds sterling and $\bar{y}t$ in the meane tyme the sd William Lawrie shall behave himselff peaceable & orderlie vnder the penaltie forsd $\bar{q}ch$ cautione is accordingly found

Sic Sub Pa: Menzeis

February 20th 1684

John Straquahan Bailzie of Muselbrugh entered himselfe prisoner within the tolbooth of Edr conform to ane order of the Lords of his Mäties privie Counsell

John
Straquahan
warded.

February 22nd 1684

George Martine¹ Adam Weir & James Muire² execute in the Grassmercat for deneying aütie.

George Mar-
tine Adam
Weir and
James Muire
executed.

February 22nd 1684

David Rallstoun & Robert young chapmen in Glasgow relieved by consent of Counsell the tenor $\bar{q}rof$ followes Att Edr the 6 day of March 1684 yeares anent a petitione presented by David Ralstoun & Robert Young Chapmen in Glasgow shewing $\bar{y}t$ $\bar{q}r$ the petitioners being travelling in the Kings highway w^t $\bar{y}r$ packs from ane faire at Dumfreis They were apprehended by Captain Kilpatrick one of the Dutch officers at thornehill in ther way to Glasgow $\bar{q}r$ the sd Captain w^t seäll others w^t him did threaten the petitioners & did take from the petitioners ther packs & what money they had conforme to ther declaration to the Councill & did bind them with coards & took them aboard of ther ship & upon aplication made to the Councill the petitioners are brought to the Tolbuith of Edr & has deponed before some of the Councils number upon the way & manner of ther being apprehended & what damnadge they have sustained And $\bar{y}rfor$ humbly supplicating that the Councill would take the premisses to consideration & ordain the petitioners to be sett at libertie & refounded of the goodes & mony taken from them by the sd Captain Kilpatrick And for ther damnadges & expenss as the Councill shall think convenient The Lords of his Mäties privie Councill having heard & considered the foresd petition doe heirby give order & warrand to the Magistrates of Edr to sett the sds David Ralstoun &

David Rall-
stoun and
Robert young
chapmen re-
lieved.

¹ Notary ; formerly teacher and reader in Dailly ; see *Scots Worthies*.

² Of Cessford-boat.

Robert young at libertie & allowes them procese agt the sd Captain Kilpatrick for the alleadged injurij done to them

Sic Sub Will: Paterson

February 22nd 1684

David Scott
relieved.

David Scott wryter in Ruglein releived out of the Tolbuith of Edr by ane act from the Lords of Councill & session q̄ch is of the date the 18th day of March 1684 more fully bears

Sic Sub Geo: Mackenzie Cler: Reg:

February 23rd 1684

William Fyfe
liberated.

William Fyfe liberat by consent of Councill qch is as followes Edr the 18 day of March 1684 The Lords of his Māties Councill having considered the report of the Comittee for examining the witnesses agt Mr Zechiel Montgomrie & W^m fyfe doe ordain the sd W^m fyfe to be sett at libertie and gives warrand to the Magistrates of Edr Keepers of the Tolbuith to sett him at libertie

Sic Sub Will: Paterson

[See March 18th.]

February 29th 1684

For Mr Vanss
or Mr Vdnie

W^m Griersone
warded.

Receave the persone of William Greirsone into your Tolbooth sent here from Drumfreis a prisoner for killing the Laird of Barscob for which this shall be your warrand

Sic Sub W Drummond

[See March 10th and 28th.]

March 4th 1684

Mr John
Dick Mr
John Ræe
and five
others
warded.

Mr John Dick ¹

Mr John Ræe ²

John Mirrie ³ Robert Melvin & W^m Lambe ⁴ with tuo woman wairdit by order of the Lords of Council

¹ See March 5th. Dick was a student of theology and a son of David Dick, an Edinburgh lawyer. See *Scots Worthies*.

² See September 15th. Mr. Ræe was minister of Symington.

³ See March 8th.

⁴ See March 13th (Marion Normand) and April 22nd.

March 5th 1684

Mr John Dick execut at the Grassm̄ket for treasone
[See March 13th—Marion Normand.]

Mr John
Dick exe-
cuted.

March 7th 1684

Archibald Ker wairdit by order of ye Lords of his M̄aties privie Arch^d Ker
Counsell warded.

March 8th 1684

John Mirrie sett at libertie by the Cunsell order q̄ch is as followes John Mirrie
The Lds of Cunsell ordaines the Keipers of the tolbuith to sett relieved.
John Mirrie at libertie *Sic Sub* Will: Paterson

March 10th 1684

Robert Grierson and John Henderson wairdit by order of ye Lords Robert Grier-
of Justiciarie son and John
[See March 28th—Robert Griersone of Milnemarke was brother Henderson
of William 'wairdit' February 29th—See King Hewison's *The* warded.
Covenanters.]

March 10th 1684

John Nicolson & Margaret [blank] in Libertoun paroch wairdit by John Nicol-
ane warand from Mr W^m fflecher shiref deput of Edr for the alle^t son and
crymes of Bigamie & notour adultrie Marg^t [blank] warded.

March 13th 1684

Marion Normand relieved by the Councils order as followes The Marion Nor-
Lords of his M̄aties privie Council having considered a petition pre- mand re-
sented by Mary Normand spouse to John Melvill Tayleor freeman in lieved.
the potteraw prisoner in the Tolbuith of Edr for having Mr John Dick
resett in her house supplicating that in regaird she has a sucking chyld
on her breast near to death and that her continuing longer in prison
will certainly occasion both ther deaths & that her said husband con-
tinues still prisoner order might be granted for her libertie The sds
Lordes doe hereby give order & warrand to the Maḡrats of Edr to sett
the sd Mary Normand petitioner at libertie in regaird she hath fund

sufficient caution acted in the bookes of privie Counsell to compear befor the Counsell \overline{qn} called for to ansyr to any thing can be laid to her charge under the penaltie of fyve hundreth markes Scots

Sic Sub Will: Paterson

[See April 22nd—William Lambe.]

March 15th 1684

Sr Hew
Campbell of
Sesnock to
be allowed
to see
advocates.

The Lords of his Mäties privie Counsell haveing heard & considered a petition be Sr Hew Campbell of Sesnock doe give warand & allowance to any advocats ye petitioner shall desyre to apear for him in ye proces of Treason pursued agt him befor the Justices at ye instance of his Mäties advocat excepting Sr George Lockhart he being formerly ordered to concur with ye Kings advocat And allowes the Magistrats of Edr & keipers of ye tolbooth to give the petitioner a fit rume by himselfe And his frinds & advocats to have access to him for prepairing his defences he being alwayes ansyrable for his saife custodie

Sic Sub Will: Paterson

[See April 18th.]

March 18th 1684

Mr Ezechell
Montgomrie
warded.

Mr Ezechell Montgomrie wairdit by ane warand from my Lord Chancellor

[See April 22nd.]

March 21st 1684

The Laird of
Rowalan yr.
re-entered.

The Laird of Rowaland younger re entered prisoner within ye tolbooth conforme to ye Lords of Counsell \overline{yr} act & ordnance

[See April 17th.]

March 28th 1684

Mr Thomas
Hog minister
banished.

The Lords of his Mäties privie Counsell having considered ye petition of Mr Thomas Hog minister prisoner in ye Tolbooth of Edr by sentence of Counsell vpon ye accompt of church disorders Doe ordaine the Magistrats of Edr to set him at libertie in regard he hath found cau^{on} acted in ye books of privie Counsell that within fourtie eight houres efter he shall be liberat he shall depart furth of ye king-

dome & never returne therto without his Māties spea^{ll} licence under ye penaltie of fyve thousand merks Scots money in caice of failzie

Sic: Sub: Will: Paterson

[M. of Kiltearn: imprisoned in the Bass 1677: died 4th January 1692: one of the Scots Worthies: on his tombstone at Kiltearn was engraved:—

THIS . STONE . SHALL . BEAR . WITNESS
AGAINST . THE . PARISHIONERS . OF . KILTEARN
IF . THEY . BRING . ANE . UNGODLY . MINISTER
IN . HERE.]

March 28th 1684

William & Robert Griersones and John Henderson relived by order of ye Lords of his Maties Justiciarie who wer araigned befor them for ye alēit murder of Robert M^cKellan of Barscobe & fred \overline{y} r fra by ane asyse

W^m and Rob^t
Griersones
and John
Henderson
relieved.

[The result of an important trial; victim and accused were all Cameronians and Glenkens men.]

March 28th 1684

W^m Cunynghame W^m Craige & James Stivensone wairdit by a pairtie of ye Erle of Linlithgows regiement in order to \overline{y} r transporton to flanders

W^m Cunyng-
hame W^m
Craige and
James
Stivensone
warded.

March 29th 1684

Thomas Ingram ¹

Daniell Crafoord ¹

John ferguson

W^m Gilmoore all wairdit by order of my lord advocat

Thos. Ingram
Daniell Cra-
foord John
fferguson and
W^m Gilmoore
warded.

April 7th 1684

John Dalziell brother to ye deceist John Erle of Carnwath relived by consent of James Loch mer^t burges of Edr . . .

John Dalziell
relieved.

[Incarcerated for debts.]

¹ See April 18th.

April 8th 1684

Robert
Hamiltoun
of Monkland
relieved.

The Lords of his Māties privie Counsell having considered a petition presented by Robert Hamiltoun of Monkland suplicating that in regaird of his Māties remision to ye petitioner past under his Royall hand and that he is in a valitudinarie condition order might be granted for his libertie for such tyme as he might be in a capacitie to exped the sd remision Doe heirby give order & warand to ye Magistrats of Edr To set the sd Robert Hamiltoun petitionuner at libertie upon his finding cauⁿ acted in ther books that he shall pas his Māties said remision The sealls betuixt and ye first day of No^r nixt or otherwayes reenter his person prisoner within the sd tolbooth under the penaltie of fyve thousand merks Scots money in caice of failzie

Sic Sub Will: Paterson

[See January 31st—Thomas Steivin.]

Hamilton was brought to the bar July 24th and 27th 1683 charged *inter alia* with conversing with the Magus Moor homicides ; was found guilty and cōdemned to death, but was reprieved.]

April 8th 1684

James Lourie
relieved.

James Lourie 'set at libertie' under a warrant similar to above ; the penalty in case of failure being 'ffyve hundreth merks Scots money.'

April 14th 1684

Captain
Patoun
warded.

Captain John Patoun wairdit by order of ye Lords of his Māties Justiciarie

[Of Fenwick ; one of the Scots Worthies ; executed May 9th 1684 and buried in Greyfriars Churchyard.]

[?April 17th 1684]

Edr the 17 Apryll 1684

Sr W^m and
W^m Moores
of Rowaland
relieved.

The Lords of his Māties privie Counsell having considered a petition presented by Sr William & William Moores elder & younger of Rowaland suplicating for libertie with ye report of a comittie of ther number annent ther caices Doe heirby give order & warand to the Magistrats of Edr To set ye sd Sr W^m & W^m Moores elder & younger of Rowaland petitioners at libertie In regaird they have found cauⁿ acted in ye

books of privie Counsell to ansyr compeir befor ye Counsell whenever they shall be cited & called to ansyr to any thing can be layd to \bar{y} r charge And that under ye penaltie of Two Thousand pound sterling for ilk ane of them in caice of failzie *Sic Sub Will: Paterson.*

April 18th 1684

The Lairds of Sesnock elder ¹ & \bar{y} or^r Jeriswood ² Beircrofts ³ Craw- Sesnocks
foordland ⁴ & Brunsfeild ⁵ open prisoners by fyve seäll warands of ye \bar{y} or^r Jeris-
lords of privie Counsell \bar{q} tof the tennor follows wood Beir-
crofts Craw-
foordland
and Bruns-
feild allowed
free prison.

Edr 17 Apryll 1684

The Lords of his Mäties privie counsell haveing considered ye pet[it]ionies of ye lairds of Sesnock &c prisoners in ye tolbooth of Edr with a report of a comittie annent ther condition Doe give order & warand to ye Magistrats & keipers of ye tolbooth of Edr to allow ye petitioners the benifyt of ordinarie frie prison And to admit ther frinds & phiscians to have access to them as they shall desyre And to heir sermon in prison on ye Sabath day when any of ye ordinarie ministers ar allowed to preach The keipers of ye prison being alwayes ansytable for ther saife custodie *Sic: Sub: Will: Paterson*

[April 18th 1684]

Halyroodhouse 3^d off appryll 1684

The Lords of his Mäties privie Cunsell having considered the con- Thos Ingram
dition of Thomas Engrim and Daniell Crauford tuo of the witness cited and Dan^l
against the Laird of Cesnock appoynts the keepers of the Tolbuith to Crauford put
put them furth of the irons and appoynts them to be furnished by meat irons.
& drink upon the kings charges *Sic Sub Will Paterson*

this warrand delyvd by Mr vdnie the 24 of ap:

[See June 25th.]

April 22nd 1684

Ralph Dundas of that ilk afoirsd areisted be vertew of lrēs of caption Ralph
at ye instance of John Mackalla Armourer & Suord sliper in Edr . . . Dundas
[For debt. See also May 26th.] arrested.

¹ See April 25th and September 15th.

² See August 14th.

⁴ See September 13th.

³ See September 19th.

⁵ See August 28th.

April 22nd 1684

Mr W^m Car-
staires
allowed free
prison.

The Lords of his Mäties privie Counsell haveing considered the petition of Mr W^m Carstares prisoner in ye tolbooth of Edr Doe heirby give order & warand to ye Magistrats of Edr and keipers of ye tolbooth of Edr to allow the sd Mr W^m Carstaires the benifyte of ordinarie frie prison And to admit his frinds & phisitions to have access to him As he shall desyre the same And to heir sermon in prison on the Sabath day when any of ye ordinarie ministers ar to preach The keipers of ye prison being alwayes ansyrable for his saife custodie

Sic Sub Will: Paterson

[See August 8th.]

April 22nd 1684

William
Lambe re-
lieved.

The Lords of his Mäties privie Counsell haveing considered a petition presented by William Lambe jurnieman tailzier in Edr in whois hous John Dick rebell wes apprehendit with a report of a Comittie annent his caice Doe ordean the Magistrats of Edr to set him at libertie

Sic Sub Will: Paterson

April 22nd 1684

Mr Ezekiell
Montgomrie
relieved.

The Lords of his Mäties privie Counsell having considered the lybell persewed at ye instance of his Mäties advocate agt Mr Ezekiell Montgomrie for seäll acts of Malversa^on lybeled ansyrs made therto depositions of ye witnesss aduced agt him And for proveing his defences with ye report of a comittie apoynted to consider the proces Doe find the defences suficientlie proven to frie the said defender from any prevarica^on or guilt in ye aledged forging making up or using the counterfit test lybelled And asolzies him therfrae And delayes the advysing of ye other poynt As to his aledged exacting money from ye people till the Counsell consider funder y^rof And in the meantyme ordains him to be set at libertie upon his giveing his oun bond whenever he shall be cited upon ane charge of sex dayes aither personallie or at his duelling place under ye penaltie of fyve hundreth pounds sterling money And the sd Mr Ezekeill Montgomrie hath accordinglie enacted himselfe to ye efect & under ye penaltie forsd

Sic Sub Will: Paterson

April 24th 1684

The Lords of his Mäties privie Counsell haveing considered a W^m Spence freed of the
petition presented in behalfe of W^m Spence clos prisoner in the Tolbooth of Edr and in the irons suplicating to be fred of the irons & alowance of
ye prisone as the other prisoners have, Have thought fit heirby to
ordean the keipers of ye tolbooth of Edr to tack him out of irons but
to conteinew him in clos prison

Sic Sub Will: Paterson

[See July 25th—Jean florat—and July 26th. Spence had acted
as secretary to the late Earl of Argyll and had been minister of Glen-
devon. Was tortured both in the boots and by use of the thumbikins.]

[April 25th 1684]

Hew Archbald haveing refused to give in to ye clerks of Counsell in the proces agt him & Sesnock the indeividuall interogators was made
us of befor ye justices Albeit that I have declared his defences shall be
reserved & discused befor advysing & thes are ordering a meacer to
incarcerat him till he give obedience Given at Edr 25 Apryll 1684

Sic Sub Geo: Mackenzie

[See April 27th.]

April 27th 1684

Mr Vans

Thes ar ordering you to set Hugh Archibald at libertie who wes
imprisoned yesternight by my order And this shall be your warand

Sic Sub Geo: Mackenzie

[See later extract April 27th.]

April 27th 1684

Mr William Wishart wairdit by order of the Lords of his Mäties
privie Counsell James Irving meacer

[See May 9th.]

April 27th 1684

James Laigne wairdit by order of ye Lords of his Mäties privie
Counsell James Irving meacer

April 27th 1684

Hew Archibald detained.

Hew Archibald afoirsd detained in prison by order of ane comittie of ye Counsell John Henderson meacer

[See April 29th.]

April 29th 1684

Hew Archibald relieved.

Whereas be the allowance of the Comittie for publict afaires Hew Archibald wes imprisoned by my order And the Comittie being now satisfied he should be liberat Thes ar giveing order and warand to ye Magistrats of Edr to set ye sd hew Archibald at libertie

Sic Sub Geo: Mackenzie

May 3rd 1684

Sr W^m Scot of Hardin transported from the castle.

Sr William Scot of Hardin transported from ye castell of Edr to the tolbooth by order of ye Counsell

[See May 5th.]

May 3rd 1684

Al. Gordoun of Earlstoun transported from the castle.

Alex^r Gordoun of Earlstoun transported from the castell to ye tolbooth by order of ye Counsell

[See January 31st—Margaret Anderson—and August 9th]

May 5th 1684

Sr W^m Scot of Hardin transported to the tolbooth of Jedburgh.

The Lords of his Mäties privie Counsell having considered a petition presented by Sr William Scot of Hardin now prisoner in the Tolbooth of Edr suplicating that in regaird of his valitudinarie condition & old age he might either be liberat upon cau^{on} or els his persone changed to some other prison by reason of ye aire in ye said prisone w^{ch} much prejudices & impaires his health And may in this hot season in a short tyme procure his death Doe heirby ordaine the petitionner to be transported from ye said Tolbooth of Edr to ye tolbooth of Jedburgh And apoynts a meacer of Counsell to convoy & enter him prisoner ther And for that efect gives order & warand to ye Magistrats of Edr to delyver ye sd Sr W^m Scot petitioner to one of the sd macers who is heirby requyred to sie him dewlie delyvered to ye sd Magistrats of

Jedburgh and enter ther prisone ther to remaine untill the Counsellis furdur order And to returne a certificat under ye sd Magistrats hands of his being delyvered & entering prison as said is In regaird he hath found suficient cauⁿ acted in ye books of privie Counsell that within ye space of ffourtie eight houres efter he shall be liberat furth of ye sd tolbooth of Edr he shall enter himselfe prisoner within ye sd tolbooth of Jedburgh to remaine therin till the Counsell give furdur order anent him under ye penaltie of fyftein hundreth pound sterling money in caice of failzie
Sic Sub Will Paterson

I John Henryson macer Grants me to have receaved the person of Sr W^m Scot of Hardin from ye keipers of ye tolbooth of Edr vpon ye 8 of May 1684 As witnes thir p^{nts} wrytin & sub^t with my hand the forsd day
Sic Sub Jo. Henryson Macer

[See March 5th 1685.]

May 9th 1684

Margaret Burnet execut in ye grasmercat for accession to ye Margaret
 poyssoning of ye deceist Catherin hannay Burnet
 [See July 9th, Alieson Henderson.] executed.

[?May 9th 1684]

Mr Vans or Mr Vdnie

Thes ar giveing you order to set Mr William Wishart student at Mr W^m
 Wtright [Utrecht] now prisoner in ye tolbooth of Edr at libertie vpon Wishart
 his finding cauⁿ to ansyr agt thursday come eight dayes being the 15 relieved.
 of this instant under ye penaltie of ane thousand merks And this shall
 be your warand from *Sic Sub Geo: Mackenzie*
 Edr 6 May 1684

Edr 8 of May 1684

Conforme to ye above wrytin order cauⁿ is found acted in ye books of privie counsell to ye efect & under ye penaltie y^rin mentionat q^{ch} in absence of the clerk is receaved by me

Sic Sub Hugh Steivenson

[See May 13th]

[May 13th 1684]

Leith 13 May 1684

Sr

Robt Burne
and Walter
Thomson
warded.

You ar to receave into your custodie the persones off Robert Burne¹ and Walter Thomson prisoners conforme to ane order direct to us wrytin & sub^t be his māties advocat thes is from

Your Loving frind

Sic Sub Tho: Wilson Bailzie

ffor Mr John Vans or Arthur
vdrnie Keipers of ye tolbooth of Edr
or aither of them

May 13th 1684

Mr W^m
Wishart re-
entered.

Mr William Wishart reimprisoned by order off ane Comittie of ye Lords of his Māties privie Counsell

May 16th 1684

Keipers of the tolbooth of Edr

James Bennet
and Marcus
Zacherie and
Robert Gedding
warded.

Receave from the bearer George Scad ane of ye souldiers in Sr James Turners troupe of dragouns the persons of James Bennet & Marcus Zacherie tuo fals conziars sent from Glasgow with Robert Gedding ane heritor from ye sd place & keip them in custodie till further order from ye Lords of his Māties privie Counsell and this shall be your warand

Sic Sub Will: Paterson

May 26th 1684

Ralph
Dundas
arrested.

Ralph Dundas of that ilk afforsaid areisted. . . .

[For debt. See also June 11th.]

June 5th 1684

Act for trans-
portation of
vacobonds
etc. to ye
planta^ones.

Double of ye act be ye Lords of his Maties privie Counsell in favours of Robert Malloch

At Edr the 27th of May 1684 annent a petition presented by Robert Malloch mert burges of Edr showing that q̄r the petitionner being bound for ye planta^ones he did give in a bill to ye Counsell of Edr craving that thes idle vacobonds whoores & theifs incarcerat within y^r tolbooth & corection hous q̄^{ch} a burdein to ye good tounne might for

¹ See July 16th,

ye weill & eas of ye place & for ther more vertious living in tyme coming be transported to ye sd planta^ones W^{ch} petition being considered be ye provost Bailzies & Counsell of ye good toune They be ther act of ye dait ye 9 of May instant granted the desyre therof But in regaird that non of his M^{at}ies Leidges can be transported to foraigne planta^ones without ye Counsellis warand and comission And therfor humblie suplicating That ye Counsell would interpon ther au^ctie to ye act of ye good toun & authorize the petitioner to transport all thes idle vacabonds whoors & theifs w^{ch} ar or shall hapen to be incarcerat within ye sd Tolbooth & corection hous to foraigne planta^ones As the Counsell have bein in us to doe in the lyke caices The lords of his M^{at}ies privie counsell haveing heard & considered ye forsd petition & act of ye toun counsell of Edr in ye petitioners favours daited ye 9 of May instant Doe aprove of ye sd act of ye toune counsell in so far as concernies the present transportaⁿ of theis theifs vagobands & idle persones & interpones ther au^ctie therto

Sic Sub Will: Paterson

June 11th 1684

Ralph Dundas of that ilk afoirsd areisted. . . .
[For debt. See also next extract.]

Ralph
Dundas
arrested.

June 11th 1684

Ralph Dundas of that ilk afoirsd areisted. . . .
[For debt.]

Ralph
Dundas
arrested.

June 20th 1684

Gidion Crawfoord wairdit by a pairtie of ye granadiers who wes transported from fyfe by ane order direct by my lord Balcaras shiref prin^l of fyfe to ye Bailzies of Kirkkaldie & delyvered by Mathew Anderson provost to ye sd granadiers.

Gidian
Crawfoord
warded.

[See August 1st.]

June 25th 1684

Sr Adam Blaire of Carberie wairdit be vertew of l^res of caption at ye instance of James Ogilvie chirurgeon burges of Edr . . .

Sr Adam
Blaire
warded.

[For debt. 'Releived' June 26th by consent of James Ogilvie.
See also December 2nd.]

June 25th 1684

Mr Vans

Dan^l Craw-
foord and
Thos. Ingram:
allowed free
prison.

Thes ar to warand you to allow to Daniel Crawfoord & Thomas
Ingram the libertie of frie prison till ye Counsellis furdur order. Edr
13 Junij 1684 *Sic Sub Geo: Mackenzie*

[See September 16th.]

July 1st 1684

Lairds of
Allingtoun
and Hart-
wood warded.

The Lairds of Allingtoun and Hartwood wairdit by order of ye lords
of his Maties privie Counsell

[See next extract.]

July 1st 1684

James
Stewart of
Hartwood
and W^m
Stewart of
Alingtoun
relieved.

The Lords of his M^{at}ies privie Counsell doe heirby give order &
warand to ye magistrats of Edr to set James Stewart of Hartwood and
William Stewart of Alingtoun prisoners in ther tolbooth at libertie in
regaird they have made payt to his M^{at}ies Cash Keiper of ye fynes
imposed vpon them by ye Counsellis sentance of ye daite of thir p^{nt}s
for not giving tymous advertisment of ye rebels laitlie in armes con-
forme to ye Counsellis proclama^on *Sic Sub Will: Paterson*

[See November 13th.]

July 2nd 1684

Five persons
warded.

James Clelland
John Smith
Thomas Robertson
David Russell

Gavin Lourie all in ye fugitive roll & wairdit by John Bamzie
meacer

[See August 14th.]

July 2nd 1684

Jas. Eduard
Pat. Cunyng-
hame
Pat. Alieson
James
Ranken and
John Gaird-
ner warded.

Thes ar giveing order & warand to ye masters of ye tolbooth of Edr
to receave from Serjent Semingtoun ye persones of James Eduard ¹
Patrick Cunyngname Patrick alieson¹ & James Ranken John Gairdner ¹
and to keip them in suire firmance till furdur order for doeing q^rof this
shall be to all concerned a suficient warand Given at Linlithgow ye
last of June 1684 *Sic Sub Linlithgow*

¹ See August 1st.

July 9th 1684

Edr 27 March 1684

The Lords of his M^{ties} privie Counsell having considered a petition presented by Robert ffleyming prisoner in ye Tolbooth of Edr forfaulted by ye justices for his accession to ye laite rebellion suplicating that in regaird it hath pleased ye Counsell to recomend the petitioner to ye king for his gracious remission for his lyfe and that his health is alradie much impaired by his long imprisonment And that he will not be able to us the ordinarie meanes for recoverie of his health nor expeding his remission unles he wer liberat The Counsell wold grant order for his libertie The sds Lords doe heirby give order and warand to ye Magistrates of Edr to set ye sd Robert ffleyming petitioner at libertie in regaird he hes found cauⁿ to exped his sd remission betuixt and ye second thursday of Jully nixt or reenter prison that day wnder ye penaltie of ane thousand merks Scots money

Robert
ffleyming
relieved.*Sic Sub Will: Paterson*

July 9th 1684

Alieson Henderson execut for accession to ye poysoning of ye deceist Catherin Hannay

Alieson
Henderson
executed.

July 11th 1684

Goodmen of ye tolbooth of Edr

Ye shall receive within ye Tolbooth of Edr ye persone of Robert Elder & keip him prisoner till he be brought to a tryall for his accesion to ye murdering finlay More M^cfindley for doeing q^rof this shall be your warand

Robert Elder
warded.*Sic Sub Geo: Mackenzie*

July 16th 1684

You are heirby ordered to detaine patrick Walker closs prisoner in irones till further order q^rannent thir pⁿts shall be your warand Given at Edr 16 Jully 1684

Patrick
Walker
warded.*Sic Sub Linlithgow*

[See December 4th. The biographer of Peden, Cargill, Cameron, &c.]

July 16th 1684

The Laird of Greinholme wairdit by order of ye Lords of his M^{ties} privie Counsell

The Laird of
Greinholme
warded.

[See August 26th.]

July 14th¹ 1684

Dan^l
fferguson
warded.

Daniell ferguson post wairdit by ane written order of Thomas Robertson Bailzie of Portsbrugh for burning ane wheat stack belonging to W^m Byres Bedler

July 16th 1684

Robert
Burne re-
lieved.

forsaemuch as his M^{ties} Advocat by warand and order under his hand direct to you to set Robert Burne gairdner at Leith at libertie vpon his finding suficient to ye clerk to ye criminall court to ansyr befor ye Lords Comrs of Justiciarie whenever he shall be called befor them And that under ye penaltie of 2000 ^{ff} Scots to underly ye law for his alleit haveing accesion to ye away taken of 1000 ^{lbs} Scots from W^m Paterson in Bruntstaine ye ar therfor to set him at libertie conforme therto In respect he hes found ye sd cauⁿ as is testified by
Sic Sub Jo Andersone

July 17th 1684

Ensigne
Charles
Gordoun
relieved.

Ensigne Charles Gordoun who wes werded by order of my Lord Chancellour relived by James Irving meacer by ye order

July 23rd 1684

Coll. James
Meinzies
warded.

Colonell James Meinziez delyvered prisoner by Capt Grahame conforme to ye Counsell's order

[See August 14th.]

July 23rd 1684

Birsbain of
ffrieland
warded.

[blank] Birsbain of ffrieland wairdit by order of ye Lords of his M^{ties} privie Counsell

[See August 15th.]

July 25th 1684

Mrs Jean
fforat de-
tained.

M^{rs} Jean fforat detained prisoner in the Tolbooth being visiting Mr William Spence this done by order of ye Counsell

[See August 19th.]

¹ Follows July 16th in the *Records*.

July 24th ¹ 1684

The Lords of his Māties privie Counsell have thought fit vpon seāll important considera^ones Heirby to repeall & recall any former act or order allowing thes persones sent doune prisoners from England the libertie of frie prison And requyres & comands the Magistrats of Edr & keipers of ye tolbooth to put them severalie in clos prison as they wer at ther first down coming And to keip them so clos prisoners & sufer no person to speak with them without speā^{ll} order from ye Counsell

Sic Sub Will: Paterson

July 26th 1684

I patrick Grahame Captain to ye toun companie of Edr grant me to have receaved from Mr John Vans & Arthur Wdnie M^{rs} of ye tolbooth of ye sd brugh the person of Mr W^m Spence And that conforme to ane order granted for that efect As witnes my hand at Edr 26 July 1684

Sic Sub Pat Gram

[See July 25th—Jean fforat.]

July 31st 1684

Mr Alex^r Orr wairdit by order of ye lords of his Māties privie Counsell James Irving meacer

Mr Alexr. Orr
warded.

[See December 10th.]

July 31st 1684

Mr William Violat wairdit by order of ye Lords of his Maties privie Counsell John Hendersone meacer

Mr W^m
Viola[n]t
warded.

[See August 26th.]

August 1st 1684

Gidion Crawford in Lanerk & vyrs relived by order of ye Lords of his Maties privie Counsell & sent to foraigne planta^ones with Robert Maloch q^rof the tennor followes

Edr 2 July 1684

Gidion Craw-
ford James
Eduard Pat^k
Alieson and
John Gaird-
ner banished
to the
plantations.

The Lords of his Māties privie Counsell having considered the lybell persewed at ye instance of his Māties advocat agt Gidion Crawford indueller in Lanerk James Eduard in Greinock patrick alieson in

¹ Follows July 25th in the *Records*.

Carnwath and John Gairdner servitor to James Ralston in Wester Harieburne prisoners in the tolbooth of Edr for ye alleit being in ye laite rebellion reset of rebels & for church disorders And ye examina^ones of ye saids persones tacken by ye Comittie of Counsell for publict afaires To qch they judiciallie adhered at ye bar & refused to ingadge not to rys in armes agt ye king & to oune the king as \bar{y}^r laū^{ll} soveraigne except with ther oun treasonable limita^ones & acording to ye covenant or to tack ye oath of aledgence And having considered his M^{at}ies letter restricting ther punishment to banishment Have ordeaned and ordeanes the said Gidion Crawfoord James Eduard & John Gairdner to be banished to ye planta^ones in Carollina & discharges them ever to returne to this kingdome under ye certifica^one of being proceedit agt according to law And farder ordeanes them to be delivered to Robert Malloch mert in Edr to be caried of ye kingdome in his ship to the planta^ones And doe heirby give order & warand to ye Magistrats of Edr to delyver to him the said foure prisoners now sentenced as ar in ther tolbooth In regaird the said Robert Malloch hath found suficient cauⁿ to transport them to ye sd planta^ones sea hadzert mortalitie & pirats being alwayes excepted And farder to report a certificat from ye Governour of ye place of \bar{y}^r landing ther betuixt & ye first of No^r 1685 under ye penaltie of 1000 merks Scots for ilk ane of them in caice of failzie in aither of ye premiss *Sic Sub Will: Paterson*
 Prim^{ll} act delyvered up to Ro: Malloch
 by M^r Wdnies command

August 1st 1684

Samuell
Smith de-
tained.

The Lords of his M^{at}ies privie Counsell haveing considered this petition discharges the transporting of ye petitionuner untill further order And ordeanes ye Magistrats & keipers of ye tolbooth of Edr in ye mean tyme to keip him in prison And intimaⁿ to be made \bar{y}^ro f by a meacer off Counsell *Sic Sub Perth Cance^{ll}*

August 9th 1684

Alex^r
Gordoun of
Earlstoun
transported
to the Bass.

Receaved be me James Stivenson ane of ye gentlemen of his M^{at}ies Gauird of hors from Mr John Vans & Arthur Wdnie ye persone of Alex^r Gordoun of Earlstoun in order to his transportaⁿ to ye Bass conform to the Counsellis order & warand under ye hand of Mr Collin M^cKenzie clerk to ye Counsell James Stevinson

[See August 24th.]

August 12th 1684 ¹

Mr James Walwood Doctor of Medicen wairdit by order of ye lords of his Māties privie Counsell
 [See October 9th.]

Mr James
Walwood
warded.

August 8th 1684

All dewes belonging to Mr Wdnie as ane of ye masters of ye Tolbooth areisted in ye hands of James Cameron clerk at ye instance & to ye behalfe of ye toune thesaurer

Mr Wdnie
dewes
arrested.

August 8th 1684

Thes ar ordering you to put Mr Carstaires in ye ordinar irons and keip all persones from him your necess̄ servants excepted This till further order from us And advert strictlie that no corespondant be betuixt him & any vyr aither convoyed by or with meat drink cloaths or any vyr way as ye will be ansyrable ffor Mr Wdnie & Mr Vans keipers of ye tolbooth of Edr

Mr Carstaires
put in irons.

*Sic Sub Perth Cancē*¹¹

[See August 27th.]

August 8th 1684

John Mcleod of Milntoun colector of ye excys of ye easter division of Ross transported by ye shiref of Ross from ye tolbooth of Tayne And imprisoned within ye tolbooth of Edr conforme to ane act of ye lords of his māties privie Counsell for that efect daited ye 15 Jully 1684

John Mcleod
collector of
excise
warded.

[See March 5th 1685.]

August 14th 1684

The Lords of his Māties privie Counsell Doe heirby give order and warrand to ye Magistrats of Edr to set James Meinzie off Culdares at libertie furth of yr tolbooth in regaird he hath found cauⁿ acted in ye books of privie Counsell to compeir personallie befor the Lords of privie Counsell or ther Comittie for publict afaires qⁿ called for to ansyr to any thing can be laid to his charge under ye penaltie of fyve hundreth pounds sterling money in caice of failzie

James Mein-
zies of
Culdares
relieved.

Sic Sub Will: Paterson

¹ Precedes August 8th in the *Records*.

August 14th 1684

Gavin Lourie & vyrs relived by order of ye Counsell q̄rof ye tennor followes

Edr 6 August 1684

Gavin Lourie
David Rusell
John Smith
Thos Robertson and John
Cleiland
liberated.

The Lords of his Māties privie Counsell haveing considered a p̄tion presented by Gavin Lourie in Ridmyre David Rusell tennent in Staine John Smith tennent ȳr Thomas Robertson tennent ther & John Cleiland ȳr prisoners in the tolbooth of Edr by sentance of Counsell for ther not giveing advertisment annent the rebells laitlie in armes at Blackloch they having past throu the toune of Staine suplicating for libertie in regaird they wer ignorant of ye Counsell's proclamaⁿ and of ye necesitous condition & povertie and of ther long imprisonment Doe heirby give order and warand to the Magistrats of Edr to set ye sd fyve persones petitioners at libertie in regaird they have bound obleidged and enacted themselves in ye books of privie Counsell ilk an of them for others & for themselves that heirefter they shall live regularlie & orderlie keip ther paroch kirk & compeir befor the Counsell when called for under ye penaltie of fyve hundreth merks Scots money for ilk ane of them in caice of failzie And farder that they & ilk ane of them shall in tyme coming when they or any of them shall have notice of any rebells in armes or of any conventicles hous or feild furthwith advertis the narest magistrat or commanding oficer of ye forces thereof wnder ye forsd penaltie for ilk ane of them in caice of failzie

August 14th 1684

Ladie Graden
to be close
prisoner with
Jerviswood.

The Lords of his Māties privie Counsell haveing considered ane adres made by Hellen Johnstoun Ladie Graden suplicating that shee might be made clos prisoner with ye laird off Jeriswood to waite vpon him he being at present in a seik and dangerous condition with ye report of ye lords president of ye session & justice clerk who wer ordered to visit him bearing that they find him in a verie dangerous & seiklie condition Doe allow the Laidy graden to be clos prisoner with ye said Jeriswood & apoynts a meacer of Counsell to tack hir imediatly to that rume within the prisone of Edr q̄r ye sd Jeriswood is now prisoner And apoynts ye keepers of ye tolbooth befor shee enter the said rume to tack narow inspection that shee have no lres nor peapers vpon hir bodie And if shee have that they secure the same And efter shee hes entered the said rume Ordeanes ye said keepers to keip hir clos prisoner

therin in ye same way and manner that ye sd Jeriswood wes ordered to be kept in everie respect till the counsells further order As they will be ansyrable at ther heist perrell

Sic Sub Colin McKenzie

[See August 18th.]

August 15th 1684

The Lords of his Mäties privie Counsell having heard & considerit a petition presented be John Birsbain of ffrieland suplicating for libertie in regaird of his great indisposition with a certificat of his great indisposition under ye hands of Doctor Balfour Doe heirby grant order and warand to ye Magistrats of Edr to set ye said John Birsbaine of ffrieland petitioner at libertie in regaird he hath found suficient cau^{on} acted in ye books of privie counsell for his apearance befor ye Counsell when called for under ye penaltie off sex thousand merks Scots money And that in ye mean tyme he shall live regularlie and orderlie & keip his paroch kirk under ye penalties contained in ye lawes and acts of parliāt to be payed to his Mäties Cashkeiper in caice of contravention

John Birs-
bain of
ffrieland re-
lieved.

Sic Sub Collin McKenzie

August 18th 1684

The Lords of his Mäties privie Counsell having considered a petition presented by the Laidy Jeriswood that in regaird that her husband is in a very dangerous condition & lyk to die she might be allowed access to sie him at some tymes Doe heirby allow the petitioner to have access to ye laird of Jeriswood hir husband with any of ye phisitians who ar to visit him & stay in ye rounge with him as long as ye phisitians stayes and no longer During q^{ch} stay shee is not to wtter or speak anything But in audiance of ye phisitians present

Laidy Jeris-
wood to have
access to her
husband.

Sic Sub Collin McKenzie

[See August 30th.]

August 19th 1684

The Lords of his Mäties privie Counsell haveing considered a petition presented by James Hamiltoun prisoner in ye tolbooth of Edr formerlie sentanced to the planta^{ones} in ye ship belonging to Robert Malloch bound thither Suplicating that in regaird the said Robert Malloch hath sailed without tacking him aboard he might be liberat vpon

James
Hamiltoun
banished.

finding cauⁿ to depairt furth of Britaine and Ireland And never returne without his M^{atie} or the Counsellis spe^{all} licence Doe heirby give order & warand to ye Magistrats of E^{dr} to set ye sd James Hamiltoun at libertie furth of y^r tolbooth in regaird he hath found sufficient cauⁿ acted in ye books of privie Counsell That he shall within ye space of a moneth efter he shall be liberat remove himselfe of his M^{aties} dominions And never returne y^rto without his M^{atie} or ye Counsellis spe^{all} licence and that under ye penaltie of Ane thousand merks Scots money besids being furder proceedit according to law

Sic Sub Will: Paterson

August 19th 1684

John Balzie
relieved.

John Balzie elder of S^t Johns Kirk relived by ane delyverance of ye lords of Session and by consent of Alex^r Gilmoore of Craigmiller q^{ro}f the tennor followes

March 29, 1684

The Lords haveing heard ye Lord Castelhill make report That Craigmiller consents to ye puting ye suplicant at libertie till No^r nixt Ordeanes the Magistrats of E^{dr} to put the said suplicant at libertie and ordeanes ye petitioner to give securitie to Craigmiller at ye Lord Castelhills sight to enter his person to prison the first day of No^r nixt

Sic Sub Da: falconor I: P: D:

I Alex^r Gilmor of Craigmiller doe heirby acknowledg that I have receaved securitie for ye reentering of ye persone of John Bailzie elder of S^t Johns Kirk to ye prison of ye tolbooth of E^{dr} in ye termes and conforme to ye above wrytin delyverance and therfor consents to his liberaⁿ In wittness q^{ro}f written be Thomas Watson wryter in E^{dr} I have sub^t thir p^{nts} with my hand at E^{dr} ye 9 day of Apryll 1684 Befor thir witness Mr Richard Douglas advocat and ye sd Thomas Watson

Sic Sub Al. Gilmour

Ric Douglas witnes

T Watson witnes

August 19th 1684

Jean fforat
and Mathew
Murray
relieved.

The Lords of his Maties privie Counsell having considered ye adres made to them by Jean fforat prisoner in ye tolbooth of E^{dr} and Mathew Murray prisoner ther with yr examina^{ones} emitted by them

befor the comittie for publict afaires doe heirby give order and warand to ye Magistrats of Edr to set ye sd Jean fforrat and Mathew Murray at libertie

Sic Sub Will: Paterson

[Mathew Murray was warded on August 12th. The entry gives no particulars as to cause.]

August 24th 1684

Sr

Receave ye person of Alex^r Gordon off Earlstoun prisoner within yor Tolbooth And keip him from conversing with any persson untill further order for q̄ch this shall be yor warand signed ye 24 of August 1684

Alexr.
Gordoun of
Earlstoun
warded.

Sic Sub W Drumond

ffor Mr John Vans goodman
of the Tolbooth of Edr

[See September 16th.]

August 26th 1684

The Lords of his Mäties privie Counsell haveing considered ane adres made to them by Mr William Violent laite indulged minister at Cambusnethen at present prisoner in ye tolbooth of Edr Desyryng that in regaird he is content to depart of this kingdome within ten dayes efter he shall be liberat and to find cauⁿ for that efect Doe heirby give order and warand to ye Magistrats of Edr to set ye said M^r William Violent at libertie In regaird he hath found suficient cauⁿ acted in ye books of privie Counsell That he shall within the space of ten dayes efter he shall be liberat furth of ye sad tolbooth Depairt out of this kingdome and never returne y^rto w^tout his Mätie or ye Counsell spea^l licence under ye penaltie of ffyve thousand merks in caice of failzie And farder his sd ca^ur hath obleidged himsele to produce a testificat of ye sd M^r W^m Violent his goeing of ye kingdome within ten dayes efter ye expyryng of ye sd ten dayes allowed to him to goe of ye kingdome under the hand of ye Regular minister magistrats & Waiters nixt to ye border if he goe by land to England And if he transport himsele by sea under ye hands of Magistrats customers and Waiters of ye brugh or port q^r he shall be shipt under the penaltie of fyve thousand merks in caice he shall not report to ye Clerks of ye counsell ye said certificat within ye space forsd

Mr W^m
Violent
banished.

Sic Sub Will: Paterson

August 26th 1684

Robert
Nisbet of
Greinholme
relieved.

The Lords of his Mäties privie Counsell haveing heard & considered a petition presented by Robert Nisbet of Greinholme prisoner in the tolbooth of Edr for some allēit rash & inconsiderat expresiones uttered by him Suplicating for libertie in regaird he hes confesed his heartie regrat for ye saids expresiones and any ofence given therby to ye Counsell And of his long imprisonment Doe heirby give order and warand to ye magistrats of Edr and keipers off the tolbooth yrof to set ye said Robert Nisbet at libertie in regaird he hes found suficient cauⁿ acted in ye books of privie Counsell that heirefter he shall live regularlie & orderlie keep his paroch kirk And appear befor ye Counsell when called for under ye penaltie of Ten Thousand merks Scots money in caice of failzie

Sic Sub Will: Paterson

August 27th 1684

Mrs Car-
staires
allowed access
to her
husband.

Thes ar ordering the Magistrats of Edr and keipers of the tolbooth yrof to sufer Elizabeth Carstaires spous to Mr W^m Carstaires prisoner in ye said tolbooth to have access to hir sd husband and to conteinew clos prisoner with him in ye same rouse till furdur order

Sic Sub Perth Cance^{ll}

August 28th 1684

W^m fairllie
of Bruntsfeild
allowed a
surgeon.

The Lords of his Mäties privie Counsell heaving heard and considered a petition presented by William fairllie of Bruntsfeild clos prisoner in ye tolbooth of Edr Suplicating that in regaird he is tacken with a squenace in his throat & a great suelling in his face the Counsell wold allow a Surgeon to goe in to visit him & us remedies for his health The Lords doe allow James Crawfoord Chirurgeon in Edr to have access to ye petitioner & visit him & us remedies for his health provyding ye same be in presence of ane of ye keipers And grants warand to ye keipers for y^t efect

Sic Sub Will: Paterson

[See September 13th.]

August 21st ¹ 1684

Campbell of
Ardkinles
warded.

Conforme to ane order direct to me from ye Lord High Chancellour Thes are givinge order and warand to the Magistrats of Edr to receave from Alex^r Innes commander of a partie of his Mäties lyfe gaurid the

¹ Follows August 28th in the *Records*.

person of [blank] Campbell of Arkinles of whom they ar to give a receipt And to detain him clos prisoner in ther tolbooth untill further order for doeing q̄rof this shall be ane sufficient warand Given at Lithgow pallace ye 20th of August 1684 *Sic Sub Livingstoune*

[See September 19th.]

August 30th 1684

The Lords of his Māties privie Counsell having thought fit that Robert Bailzie of Jeriswood now clos prisoner in ye Tolbooth of Edr should be conveyned befor ye Counsell for his reseting entertaining & corosponding with rebells and declared fugitives and Traitors and given order to his Māties advocat for that efect Doe in ye mean tyme untill Thursday nixt q̄ch is apoynted to be ye day of ye said Robert Bailzie of Jeriswood his apearance befor ye Counsell Allow his Advocats and frinds to have frie access to him And grants warand to ye keipers of ye sd Tolbooth for that efect They being alwayes ansyrable for ye saife custodie of ye sd Robert Bailzie of Jeriswood his person

Sic Sub Collin McKenzie

[See September 10th.]

September 2nd 1684

James Dalziell in Hauchbewchsyd

Alex^r Glover servitor to Alex^r W^mson in Blackcraige

John Leckie in the Lows in Glassnocks land

John Blacke servitor to John Ker in Shaw

James Wilson servitor to Habie Haire delyvered prisoners in ye tolbooth of Edr by Alex^r Younger corporall in Captaine Inglis his troupe conforme to ane order of ye Lords of his Māties privie Counsell they wer witness agt ye sd Alex^r Williamsone in Blackcraige

[See September 11th.]

September 10th 1684

The Lords of his Māties privie Counsell wer formerlie pleased to allow M^r Robert Bailzie of Jeriswood his wyfe & ye Laidie Graden to be clos prisoners in ye roume with him he then being under some indisposition of bodie have now thought fit that they be removed from him & he conteinewed clos prisoner by himselfe as formerlie And y^rfor doe heirby requyre the keipers of ye tolbooth of Edr ffurthwith to

Five persons
warded

Jeriswoods
wife and the
Laidie Gra-
den to be
removed.

remove the saids Laidies Jeriswood & Graden furth of ye roume q̄r they ar now clos prisoners with ye sd Jeriswood And to keip him clos prisoner and not to sufer them or any vyr person to have access to speak or convers with him till furdur order as they will be ansyable

Sic Sub Will: Paterson

[See November 5th.]

September 11th 1684

James Kirk-
wood and six
others set at
liberty.

You are heirby ordered to set at libertie the person of James Kirk-wood John Black W^m Glover [blank] Nicolson and the other thrie persones onllie witnesss agt W^mson for doeing q̄rof thes shall be an warand ii Sepr̄ 1684

Sic Sub Perth Cancellr

September 12th 1684

Murray of
Philiphauch
warded.

You ar heirby ordered to receave the person off [blank] Murray of Philiphauch from William Dalmahoy quartermaster of his Māties troupe of gauird And to make him clos prisoner in ye Tolbooth of Edr untill furdur order Give a recept of his delyverie to ye quartermaster At Holieroodhous 12 Sepr̄ 1684

Sic Sub Perth Cancellr

To the Lord Provost and other Magistrats
of ye Cittie of Edr

ordered to be open prisoner by my Lord Thesaurer

September 15th 1684

Hay of Park
warded.

Thes ar ordering you to receave the person of [blank] Hay of Park and make him clos prisoner within ye Tolbooth of Edr untill furdur order for doeing of q̄ch thir p̄nts shall be to you & all others concerned a full & suficient warand At Edr ye 15 of Sepr̄ 1684

Sic Sub Perth Cancellr

[See September 19th.]

[? September 13th ¹ 1684]

S^r

S^r John
Dalrymple
warded.

You are desyred to send S^r John Dalrymple with a suficient gauird to be receaved by ye Magistrats of Edr who are heirby ordered to give

¹ September 13th follows September 15th in the *Records*.

you ther recept of him And to put him in clos prison within ye tolbooth
of Edr untill further order Leith ij Sept^r 1684

Sic Sub Perth Cancell^r

ffor Collonell Douglas Colonell
of his Mäties Regiement of Gaurd

Cap^t Livtennent Muray

You are heirby ordered imediatlie to put this abovewritten order
in execution *Sic Sub Ja: Douglas*

S^r John Dalrymple order to be open prisoner by my Lord heigh
Thesaurers order

September 13th ¹ 1684

The Lords of his Mäties privie Counsell haveing considered a S^r John
petition presented by Dame Elizabeth Dundas Laidy to S^r John Dalrymple's
Dalrymple advocat clos prisoner in the Tolbooth of Edr Doe heirby 'laidy',
allow the petitioner to have access and stay with him with hir maide allowed access
servant as shee shall desyre And gives warand to ye keipers for that to him.
efect And to sufer no other person to sie speak or convers with him till
further order *Sic Sub Will Paterson*

[See December 16th. This evidently was the Dalrymple who
became Lord Advocate and who later drew the indictment of Renwick.]

September 13th 1684

The Lords of his Mäties privie Counsell having considered a petition W^m ffairlie
presented by William ffairlie of Bruntsfeild doe allow ye petitioners of Brunts-
wyfe childrein and frinds to have access to him in ye roume q^r he is feild's 'wyfe
now clos prisoner But not to have ye libertie of frie prison Or to sie childrein and
speak or convers with any of ye other prisoners till further order frinds' to
And apoynts the keipers of ye tolbooth of Edr to give obedience heirunto have access
accordinglie *Sic Sub Will: Paterson*

[See February 14th 1685.]

September 13th 1684

The Lords of his Mäties privie Counsell having considered [a petition] Crawfoord-
presented by John Crawfoord of Crawfoordland do allow ye petitioner children and
frinds to
have access
to him.

¹ September 13th follows September 15th in the *Records*.

his wyfe childrein and frinds to have access to him in ye rounge \overline{qr} he is now clos prisoner But not to have ye libertie of frie prison Or to sie speak or convers with any of ye other prisoners till further order And apoynts the keipers of ye tolbooth of Edr to give obedience heirto accordinglie

Sic Sub Will: Paterson

September 16th 1684

Nine persons
warded.

Robert Cheislie ¹

Mr John Park ²

Mr John Campbell

John Johnstoun ³

Harie Anderson ⁴

Robert Selkirk

Stiphen Porteous ⁵

William Haxtoun ⁶

George Broun All tacken at ye laite search and imprisoned within ye Tolbooth of Edr

September 15th ⁷ 1684

Scot of
Gallasheills
warded.

[blank] Scot of Gallasheills wairdit by order of my Lord high
[entry stops here]

[See December 27th.]

September 16th 1684

Thos. Ingram
and Dani^l
Crawfoord
set at liberty.

The Lords of his Mäties privie Counsell doe heirby give order and warand to ye Magistrats of Edr to set Thomas Ingram in ye paroch of Craigie & Daniell Crawfoord in ye paroch of Galstoun prisoners in yo^r Tolbooth at libertie In regaird they have bound obleidged & enacted themselves in ye books of privie Counsell that heirefter they shall live regularlie & orderlie & keip their ounie paroch kirk and compeir befor ye Counsell or justices when called for ilk on of them under ye penaltie of ffyve hundreth merks Scots money in caice of failzie

Sic Sub Will: Paterson

¹ See September 19th.

^{2 3 4 5} See October 9th.

⁶ See September 25th.

⁷ September 15th follows September 16th in the *Records*.

September 17th 1684

Mr George Campbell relived be vertew of ye order or
pas of ye privie Counsell underwryten q̄rof ye tennor
followes Mr George
Campbell
banished.

Thes ar desyring all his Mäties Magistrats & vyrs his Mäties Leidges
to sufer Mr George Campbell lait minister at Drumfreis to travell throw
any pairt of his Mäties dominions betuixt and the first day of November
nixtocome in regaird he hes enacted himselfe in ye books of his Mäties
privie Counsell to remove himselfe of out of this his Mäties kingdome
of Scotland And never to return ȳrto without his Mätie or ye Counsell
speciall licence under ye penaltie of fyve thousand merks Scots money
Given under our hands At Edr ye 17 Sept̄r 1684

Sic Sub Queinsberie

J Drumond

Geo: McKeinzie

Geo: McKenzie

September 15th 1684 ¹

The Lords of his Mäties privie Counsell dooth heirby recomend to
Generall Dalziell To caus transport ye persones of S^r Hew Campbell elder
& S^r George Campbell younger of Sesnock & Mr John Rae from ye prison
of ye tolbooth of Edr to ye Isle of Bass to be kept ther clos prisoners
conforme to ane other order of Counsell And ordaines the Magistrats
of Edr to delyver them accordinglie Sir Hew
Campbell Sir
Geo. Camp-
bell and Mr
John Rae
transported
to the Bass.

Sic Sub Will: Paterson

[See September 18th.]

September 18th 1684

You ar heirby ordered to receave ye persone of James pringle of
Torwoodlie and detainie him in prisone till the Counsellis furdur order James Pringle
warded.

Signed at Holieroodhous 18 Sept̄r 1684

Sic Sub Queinsberie

[See November 10th.]

September 19th 1684

Receaved by me George Holmes on of ye Corporalls of my Lord
Ross troupe from Mr John Vans and Arthur Vdnie Masters of ye Tol-
booth of Edr The persones of S^r Hew Campbell of Sesnock ² S^r George
Campbell ³ his son and Mr John Rae in order to ther transporta^{on} to ye Receipt for
Sir Hew and
Sir Geo.
Campbell and
Mr John Rae.

¹ This and other dates in September are not in chronological order in the *Records*.

^{2 3} See April 14th 1685.

Bass conforme to ane order of ye Lords of his Māties privie Counsell
As witnes my hand At Edr the nyntein day of Sept̄ 1684

Sic Sub Geo: Holmes

[? September 18th 1684]

Keipers of ye Tolbooth of Edr

Hamiltoun of
Akinhead
warded.

Imediatlie vpon sight heirof receave into yo^r Tolbooth ye persone
of [blank] Hamiltoun of Akinhead and keip him clos prisoner till he be
examined by ye comittie of his Māties privie Counsell for q̄ch this shall
be your warand

Sic Sub Geo: Mackenzie

[See October 23rd.]

September 16th 1684

Alex^r Monro
transported
to Stirling
Castle.

The Lords of his Maties privie Counsell doe heirby recomend to
Generall Dalziell to order such a pairtie of ye forces as he shall think
fit to transport ye person of Alex^r Monro prisoner in ye tolbooth of
Edr to ye Castell of Stirling And ordeanes the Magistrats of Edr to
delyver the sd Alex^r Monro to ye said pairtie who ar to convey him
saiflie to ye Castell of Stirling and delyver him to ye commanding oficers
ther Who is heirby ordered to receave & keip him in ye sd castell And
allow him ye benifyt of frie prison till further order The commanding
oficers of ye sd Castell being alwayes ansyrable for ye saife custodie of
his person

Sic Sub Will: Paterson

[See September 19th.]

September 16th 1684

Hay of Park
Campbell of
Ardkinles and
Gordoun of
Earlstoun
transported
to the castle
of Blacknes.

The Lords of his Māties privie Counsell doe heirby recomend to
Generall Dalziell to order such a pairtie off ye forces as he shall think
fit to transport the person off [blank] Hay of Park [blank] Campbell of
Ardkinles and Alex^r Gordoun of Earlstoun prisoners in the Tolbooth of
Edr to the Castell of Blacknes And ordeanes the Magistrats of Edr to
delyver them to ye sd pairtie who ar to convey them saiflie to ye sd
Castell of Blacknes and delyver them to ye commanding oficer ther
And recomends to ye Erle of Linlithgow Constable of ye said Castell
to receave & keip them in ye sd castell clos prisoners till further order

Sic Sub Will: Paterson

[See September 19th.]

September 19th 1684

Receaved by me David Grive ane of ye serjents of St James Turners Receipt for
troup of Dragouns from Mr John Vans and Arthur Wdnie masters of ye Hay of Park
tolbooth of Edr the persons of [blank] Hay of Park ¹ Alex^r Gordoun of Campbell of
Earlstoun ² James Campbell of Ardkinles Alex^r Monro of Beircrofts & Ardkinles
John Weir of Newtoun in order to yr transporta^{on} to ye Castells of Gordoun of
Stirling Dumbartoun & Blacknes conforme to ye Counsells order As Earlstoun
witness my hand At Edr ye 19 Sepr 1684 Monro of
Beircrofts and
Weir of
Newtoun.

Sic Sub David Grive

Ther wes no order from ye Counsell for Newtoun But ye Generalls
comand

September 19th 1684

The Lords of the Comittie of his Mäties privie Counsell ffor publick Robert
affaires doe heirby give order and warand to ye Magistrats of Edr and Cheislie set
keipers of ye Tolbooth y^rof To set Robert Cheislie Mert in Edr at at liberty.
libertie in regaird he hath tacken ye oath of aledgeance and enacted
himselife in ye books of privie Counsell that he shall live orderlie & regu-
larly keip his paroch kirk And appear when called wnder ye penaltie of
Ane Thousand pounds Scots money *Sic Sub Will: Paterson*

September 25th 1684

The Lords of ye Comittie of his Mäties privie Counsell having John John-
presented [? considered] a petition presented by John Johnstoun Mert stoun set at
barges of Edr prisoner in the tolbooth y^rof as being tacken in ye laite liberty.
search Suplicating for libertie doe heirby give order and warand to ye
Magistrats of Edr to set ye sd John Johnstoun at libertie in regaird he
hath found suficient cauⁿ acted in ye books of privie Counsell That he
shall compeir befor the Counsell when called for and that in ye meantyme
he shall live regularlie & orderlie and keip his paroch kirk and that under
ye penaltie of Ane thousand merks Scots money in caice of failzie

Sic Sub George Rae Clk: Dep:

September 25th 1684

The Lords of his Mäties privie Counsell having considered a petition James Selkrig
presented by James Selkrig Tobacco-cutter in Edr prisoner in ye Tol- liberated.
booth of ye sd brugh vpon ye laite search suplicating for libertie Doe

¹ See April 14th 1685.² See January 4th 1685.

heirby give order and warand to the Magistrats of Edr to set the petitioner at libertie in regaird he hath found cauⁿ acted in ye books of privie Counsell that he shall compeir personallie befor ye lords of his Māties privie Counsell when called for And that in ye meintyme he shall live regularlie & orderlie and keip his paroch kirk wnder the penaltie of Ane Thousand merks Scots money

Sic Sub Will: Paterson

September 27th 1684

James Nicoll
and W^m
Young
executed.

James Nicoll ¹ & W^m Young ² execut in ye grasmercat for rebelious & treasonable priñlls

October 9th 1684

Dr Walwood
liberated.

The Lords of the Comittie of his Māties privie Counsell for publict afaires having considered a petition presented by Mr James Walwood Doctor of Medicine prisoner in ye tolbooth of Edr Desyring that in regaird the tyme apoynted for his finding of cauⁿ to enter his person in prison within the tolbooth of Couper off fyfe is expyred the same might be prorogat for some further tyme and he liberat Doe heirby give order and warand to ye Magistrats of Edr to set ye sd Mr James Walwood at libertie In regaird he hath found suficient cauⁿ acted in ye books of privie Counsell That he shall enter his persone in prisone within ye sd tolbooth of Couper of fyfe vpon ye 25 of Octo^r instant And that under ye penaltie of Ten Thousand Merks Scots money in caice of failzie

Sic Sub George Rae Clk: Dep:

October 9th 1684

Harie Anderson
set at
liberty.

The Lords of ye Comittie of his Māties privie Counsell for publict afaires having considered the petition of Hary Anderson Mer^t burges of Edr prisoner in ye tolbooth of Edr tacken vpon ye laite search Doe heirby give order and warand to ye Magistrats of Edr to set ye sd Harie Anderson at libertie In regaird he hath found suficient cauⁿ acted in ye books of Counsell to compeir personallie befor ye Counsell when called for And that in ye meantyme he shall behave regularlie & quyetlie And go to church under ye penaltie of Ane Thousand merks Scots money in caice of failzie

Sic Sub George Rae Clk: Dep:

¹ Merchant burges in Peebles.

² An Evandale tailor and a lunatic ; King Hewison's *The Covenanters*.

October 9th 1684

The Lords of ye Comittie of his Mäties privie Counsell for publict Mr John Park
 afaires having considered ye petition of Mr John Park prisoner in ye ^{set at}
 tolbooth of Edr . . . ^{liberty.} ¹

October 9th 1684

The Lords of ye Comittie of his Mäties privie Counsell for publict Stiphen
 afaires having considered ye petition of Stiven porteous Tailzior frieman ^{Porteous set}
 of Edr prisoner in ye tolbooth of Edr tacken vpon ye laite search Doe ^{at liberty.}
 heirby give order and warand to ye Magistrats of Edr to set ye sd
 Stiphen porteous at libertie In regaird he hath bound obleidged &
 enacted himselfe in ye books of privie Counsell To compeir personallie
 befor the Counsell when called for And that in ye meantyme he shall
 behave peaceablie & quyetlie & goe to church under the penaltie of
 An thousand merks Scots money in caice of failzie

Sic Sub George Rae

October 9th 1684

The Lords of the Comittie of his Mäties privie Counsell for public W^m Haxtoun
 afaires having considered ye petition off W^m Haxtoun Tailzior burges ^{set at liberty.}
 of Edr prisoner in the Tolbooth of Edr tacken vpon ye laite search Doe
 heirby give order and warand to ye Magistrats of Edr To set ye sd
 W^m Haxtoun at libertie In regaird he hath found suficient cauⁿ
 acted in ye books of privie Counsell To compeir befor the Counsell when
 called for And that in the meantyme he shall behave peaceablie &
 quyetlie and goe to church under ye penaltie of Ane Thousand merks
 Scots money in caice of failzie

Sic Sub George Rae

October 14th 1684

Order for Alex^r Tweidies clos imprisonmentS^r

Mr Tueidie is to be caried to ye tolbooth of Edr and ther kept clos Mr. Tueidie
^{warded close}

¹ The remainder of the 'warand' is word for word the same as in the preceding case prisoner.
 of Harie Anderson.

prisoner non having acces to speak with him bot ye oficers of ye tolbooth for qch this is a warand I am s^r

Your afectionat servant

Sic Sub Geo: M^cKenzie

Edr 13 October 1684

fior

Captaine Grahame

[Relieved November 10th :—‘ Alexander Tweddy gairdner . . . sett at liberty in regaird he hath inacted himselve to live regularly and orderly and keep his paroch Kirk under the penaltie of fyve hundreth merks . . . ’]

October 15th 1684

Eight
ministers
warded.

M^r John Oliphant minister at Stainhous ¹

M^r John Grege minister at Carstaires ²

M^r Petter Kid minister at Carlouck ³

M^r Andro Miller minister at Neilstoun ⁴

M^r James Hutchieson minister at Kilellan ⁵

M^r Anthonie Muray minister at Kirkmichaell ⁶

M^r James Currie minister at ye kirk of Shots ⁷

M^r John Lauder minister at ye kirk of Dalziell ⁸

All of them entered themselves prisoners within the tolbooth of Edr at eleven of ye clock in ye foirnon conforme to ther obleissments granted to ye Lords of ye Cirqueit for that efect.

October 23rd 1684

Marg^t Muir-
head to be
close prisoner
with her
husband Jas.
Hamiltoun of
Aikinhead.

The Lords of ye Comittie of ye Counsell for publict afaires Having considered a petition presented by Margaret Muirhead spous to James Hamiltoun of Aikinhead suplicating that shee might have access to him in regaird of his present great indisposition doe allow the petitioner to be closs prisoner with hir said husband untill further order And ordeanes his servant formerlie allowed to be closs prisoner with him to

¹ See October 23rd.

² See May 23rd 1685.

³ See May 23rd 1685 ; also Wodrow's *Analecta*, iii. 120.

⁴ See March 12th 1685.

⁵ See May 7th 1685 ; also *Analecta*, i. 130 *et seq.*

⁸ See March 27th 1685.

be removed immediatlie vpon ye petitioners enterie And gives warand
to ye keipers of ye Tolbooth accordingly *Sic Sub* Colin McKenzie
[See October 29th.]

October 23rd 1684

The Lords of ye Comitie of his Mäties privie Counsell for publict ^{Mr Anthonie Murray} ^{liberated.}
affaires Haveing considered the petition of M^r Anthonie Murray prisoner
in ye tolbooth of Edr as being under bond befor ye Comissioners of
Counsell at Glasgow to have entered the said prison vpon ye 15 instant
q^{ch} he accordingle did desyring to vissit his brother Glendoige who
is dangerouslie seik doe heirby give order and warand to the Magistrats
of Edr to set ye petitioner at libertie in regaird he hath found suficient
cauⁿ acted in ye books of privie Counsell to return his person in prison
in ye said tolbooth of Edr vpon ye 20 day of No^r nixt And that in ye
mean tyme he shall not excerceis any pairt of ye ministeriall function
vnder ye penaltie of fyve thousand merks Scots money in caice of
failzie *Sic Sub* Collin McKenzie

[See December 2nd.]

October 23rd 1684

The Lords of ye Comittee off his Mäties privie Counsell for publict ^{Mr John Oliphant} ^{to be confined} ^{in the city.}
affaires haveing considered a petition given in by Mr John Oliphant put
under bond at Glassgow to enter prisoner in ye Tolbooth of Edr vpon
ye 15 instant q^{ch} he accordingle did suplicating that in regaird he is
extreamlie tormented with a gravell he might be liberat out of prison
for some tyme and confyned to ye toune of Edr doe grant order for ye
sd M^r John his libertie in regaird he hath found cauⁿ to confyne him-
self within ye sd Cittie and not to depairt furth yrof without licence
And to reenter the sd tolbooth vpon the 20th of No^r nixt under ye
penaltie of fyve thousand merks And that in ye mean tyme he shall
not exercis any act of the ministeriall function under ye forsd penaltie
Sic Sub Collin McKenzie

October 25th 1684

Magistrats of Edr & keipers of yo^r tolbooth

Ye shall receave & detaine in prison the persone of W^m Cunyngham ^{W^m Cunyng-} ^{ham} ^{warded} ^{from Air.}
of Ashineyards till further order for q^{ch} thes shall be yo^r warand Given
under our hands at Air ye 25 Octor 1684 yeires

October 28th 1684

Geo. Logan,
Ro^t Sloas,
Queintine
Dick, and Ro^t
Smith
warded.

Thes ar giveing order & warand to Thomas Ker Corporall in Capt Inglis troupe to carie in prisoners to ye tolbooth of Edr the persones of George Logan of that ilk Robert Sloas of Arrothill Queintine Dick in Damelington and Robert Smith of Smithstoun ¹ the Magistrats q̄rof ar heirby commandit to receave them of yr hands and to detainne them prisoners till further order Given at Aire ye 25 of Octo^r 1684

*Sic Sub Mar I. p. d. Com*Edr 28 Octo^r 1684

Sr

I intreat yo^r excelence to caus delyver the prisoners contained in ye above wrytin order to ye Magistrats of Edr who are heirby ordered to receave them and keip them prisoners in ther tolbooth till further order

Your Excellences afECTIONAT
Servant

Sic Sub Perth Cancell

October 9th (? 29th) 1684

Physicians
and a servant
to have access
to Hamiltoun
of Aikenhead.

The Lords of the Committe of his maties privie Counsell for publict afaires haveing considered ane address made to them by James Hamiltoun off Aitkenhead desyreing that in regaird of his present indisposition Physitians might be allowed to visite him and a servant to have access to him doe hearby allow the masters of the Tolbuith of Edr to allow physitians to visite the sd petitioner in ther presence as also his servant to continew closs prisoner with him to wait on his persone the sds masters being always ansverable for the sd Aikenhead his saife custodie and keeping

Sic Sub George Rae

[See January 12th 1685.]

October 29th 1684

Geo. Turnbull, Jas.
Restoun
elder, Jas.
Restoun yo^r.
Pat^k Moore
and Jas.
Cowan
warded.

Thes ar ordering the Magistrats of Edr to receave ye persones of George Turnbull ² James Restoun elder ³ Ja: Restoun younger ⁴ Patrick Moore ⁵ brother to ye Laird of Rowaland and James Cowan ⁶ and to

¹ See December 13th.³ See December 19th.² ⁶ See February 6th 1685.⁵ See December 13th.

put them in suire firm[anc]le untill further order for doeing of q̄ch this
shall be to them a suficient warand Given at Hollieroodhous ye 29
of Octōr 1684 *Sic Sub Perth Cancell^s*

November 1st 1684

The Laird of Duchall

Mr Polock of Bagra

Mr James McillCrist ¹

John Watt,² all werdit by ordour of the Lords of the Cirqueeit & Four persons
warded.
brought in by a serjan of the dragūns which is dated at Glasgow the
twentie ffyft day of octōr 1684 *Sic Sub hamiltoune drumond*
Ja: foulis

November 5th 1684

The Lords of his Māties privie Counsell haveing considered ane Lady Graden
to attend on
the Laird of
Jerviswood.
address made by the Lady Jerreswood in behalfe of her husband
desyring that Helen Johnstoune Lady Gradden her sister might be
allowed to be closs prisoner with her husband to wait on him he being
very valitudinary Doe heirby alow the sd Helen Johnstoune to be
closs prisoner with the sd Laird of Jerreswood in the rome wher he now
is closs prisoner The keepers of the Tolbooth of Edr being alwayes
ansverable for ther saife custodie, and that the sd Lady Gredden kept
closs prisoner in the sd rome and not suffered at any tyme to go furth
therof without order from the Counsell *Sic Sub Will: Paterson*
[See December 22nd.]

November 8th 1684

These are requyring and commanding the magistrats of edinburgh Zacharie
Maxwell
warded.
to receive from some of his māties dragouns the persone Zacharie
maxwell Blanarthel and to keep and detaine him in suire firmance within
ther tolbuith untill furdre ordore for which this shall be ther warrant
Givin at edr the eight day of novem^r 1684 *Sic Sub Drummond*

November 10th 1684

Thes ar giveing order and warrant to the magistrats of Edr to set James
Pringle of
Torwoodlie
set at liberty.
at libertie James Pringle of Torwoodlie yo^r prisoner in the Tolbooth of
Edr in regaird he hath found sufficient cautione acted in the books of

¹ See March 27th 1685.

² Hanged at the Gallowlee, November 24th.

privie Counsell, that he shall confyn himself to the toune of Edr and not depairt furth of the libererties [*sic*] y^rof without licence from the Counsell or secret Comitty under the penaltie of fyv thousand pounds sterling money in caice of failzie and that he shall appair befor aither of them when caled for wnder the lyk penaltie in obedience and conforme to a subscribed wnder the hand of the Lord highh Chanellor in name of the secret Committie

Sic Sub Colin M^cKenzie

November 13th 1684

John Caldwell of that ilk and twelve others warded.

John Caldwell of that ilke
W^m Stewart of allingtoune
James Stewart of heartwood
W^m Hamiltoune of ovirtoune
Georg hamiltoun of Brouncastle
M^r John Bannantaine of Corhuse ¹
M^r Alex^r Cunnigham of Craigans
William Cunnigham yongor of Craigans
M^r Androw haye of Craignathen ²
M^r Androw Kennedy of Cloburne ³
M^r John hamiltoun of hall Craig
John hamiltoune of Craigmoore
James Chancellor of Shillhill ⁴

The forenamed persons is werdit by ordour of the Lords of ye Circuit at Glasgow they being all obliged to conforme to ther oblissement to entir themselves to prisone

November 13th 1684

James Campbell and six others warded from Aire

James Campbell of Tresbank ⁵
Alex^r Arnott of Lochrige ⁶
Hew Dunbarr of Knockshennoch
James Kirkwood in the parich of Cumnock ⁷
Alex^r Vallance yr ⁸
Georg Jamiesone in Oxenshaw ⁹

¹ See December 3rd.

⁶ See December 17th.

^{7 8} See Wodrow.

^{2 3} See March 12th 1685.

⁴ See December 4th.

⁶ See December 16th.

⁹ See February 6th 1685.

John Semple¹ that was putt in the Thaumkins and in by the Councill all the foresaid perssons brought in from the Circuit from aire by a gaird

and hanged
at the
gallowlie
upon ye 24
no: 1684.

November 14th 1684

Alex^r Mairtine werdit by ane wryttin warrand under Mr Collin m^ckenzie his hand q^rof the tennour is this

Alex^r
Mairtine
warded.

The keepers of the tolbuith of edr ar heirby ordered to receive the persone of Alex^r Mairtine late Comissare Clerk of Lauder and to detain him prisoner in the said tolbuith untill he be liberat by warrand of the lords of his m^aties privie councill or otherways fullfill the sentence of Councill pronouncd against him at jedburgh the ffyftein daye of octo^r last

Sic Sub Colin M^cKenzie

[See May 2nd 1685.]

November 18th 1684

Forsamikle as Robert Elder in Kintyr was wpon suficient pre- sumptiones of his be[ing] guilty of the slaughter of [blank] Mr [blank] imprisoned in the Tolbooth of Edr by my ordour and I haveing assigned a longe dyet to my informer to bring in wittnesses and proba^one agst him and ther being non adduced And by some depositions taken by me It appeiring that he is innocent of the sd slaughter and that ther is no cautione found to insist agst him Thes therfor requyr the keepers of the Tolbuith of Edr to set him at liberty

Robert Elder
relieved.

Sic Sub Geo: M^cKenzie

November 20th 1684

Mr Antony Murray entered to prisone conform to his bond

Mr Antony
Murray
warded.

November 20th 1684

Margrat Wemis Laidie Colvine werdit by ordour of his m^aties privie Councill and brought in by gordone

Lady Colvine
warded.

[See later entry under this date.]

¹ Of Craighorn, Glassford. He was tortured, tried, and, as stated in the margin, hanged at the Gallowlee on November 24th, along with his brother Gabriel and John Watt.

November 20th 1684

Sir Alex^r
fforbis
warded.

Sr Alex^r forbis of Tolquhen werdit by letters of capione at the instance of William Cochran merchant in aberdeine for not payment maiking to him of the soume of ane thousand marks scots as the said letters more fullie bears which are signett the 30 of agust 1684

November 20th 1684

Lady Colvine
warded.

Margrat weams Laidie Colvine werdit by wertew of letters of capitione at the instance of heugh wallas of Inglishtoun his māties cash keeper for not payment maiking to him of the soume of three thousand thre hundreth and threttie three pundis six sh: 8d. being three years walloued rent of her I^vntour lands And that for tuelve conventickills kept in her hous and withdrawing from the ordinances and for herbouring of vagrant preachers since the last Indulgence as the said letters of Capitione more fullie bears which is the forth daye of Sep^r 1684 And this done be James patterson^e mess^r

[See March 18th 1685.]

November 20th 1684

Alex^r
Portterfeild
warded.Alex^r Portterfeild werdit by ordor of the Councell

November 20th 1684

W^m Cunnig-
ham younger
of Enterkine
warded.

W^m Cunningham yonger of Enterkine werdit by ordour of ane wryttin warrand undir my Lord Marr his hand wherof the tennour is this

Magistrat of edinbrugh you shall receive and detaine in prissone the persone of William Cunningham of entirkine yonger till ffurder order for which these shall be yo^r warrand Givine at Ayr the 25 of octo^r 1684 years.

Sic Sub Mar I. P. D.

November 22nd 1684

Mr Andrew
hetherweck
warded.

Mr Andrew hetherweck of pittillo wryter in Edr werdit by wertew of letters of capitione at the instance of S^r andrew fforrester Essquire and late secritare to the duck of lauderdaill and m^r charless rosse his factour for not payment maiking to them of the soume of tuentie pounds Scots money or y^about as the anrent of a thousand marks Scots dew by him to them And that in regaird hee hes a protectione past the great

seall for all prin^l soumes contained in ane band granted be the said Mr Andrew hetherweck to the [said] S^r andrew forrester and his factour of the date the eleventh daye of ¹ 1679 registrat in the books of councell and sessione upon the 19 day of novem^r the said year and in the letters of ffactorie granted be the said S^r Andrew fforrester to the said m^r Charleess rosse therupon of the date the nynteen daye of octo^r 1680 yeirs as the said letters of Capitione in themselvs more fully presents which is signett the 14 of octo^r 1684 by wertew wherof Alex^r ¹ mess^r restricked the soumes contained in the said capitione to the @n^drents therof

[See following Extract.]

November 22nd 1684

Mr Andrew hethirweck of pitcullo afforesaid areisted by wertew of Lettirs of Capitione at the instance of George Monteath merchant in Edr for not payment maiking to him of the sowme of ffourtie six pounds 13 sh: Scots money for threttie eight gilders 18 steiveirs at tuentie ffour sh: per gilder payed by the said compleaner for books bought in holland for the said M^r Andrew conforme to his acompt It: of the soume of tuo hundreth gilders contained in ane bill of exchange dated the 3 day of Junij 1668 years drauen be the said M^r Andrew upon the said compleaner payable to Robert Smith skipper in Dysert which was don accordingly upon the fyft of of [sic] Jullie 1668 yeirs which tuo hundreth gilders at tuentie four sh: the gilder extend to the soume of two hundreth and fourttie pundis Scots money It: the @n^drent of the said tuo hundreth gilders frae the said fyfft of Jully 1668 years till the fyft daye of Janvarie 1683 years extending to the soume of ane hundreth and seventie ffour gilders which is in Scots money extends to the soume of tuo hundreth and eight pundis Scots money It: of the soume of ffyftie ffyve pundis Scots money conforme to his tickat of the date the 12 daye of ffebry 1674 yeirs It: of the soume of threttene pundis 13 sh: four penneis Scots money for tuentie pynts of clarett wyne & a chapine at 13 sh: 4^d per pynt furnished be the said compleaner to him the threttie of Jullie 1679 years It: of the soume of ane hundreth and tuentie pundis Scots money as being three years @n^drent of the prin^l soume of ane thowsand marks from Candlemess 1676 years till candlemesse seventie nyne years contained in ane band granted be the said M^r Andrew as

Mr Andrew
hethirweck
arrested.

Ther is a
protestatione
presented w^t
this capitione
of the date ye
twelve daye
of ffebry
1684.

¹ Word uncertain in the original,

prin¹ and the said compleaner as caut^r for him to S^r Andrew forrester in feūry 1674 years which soume was payed be the said complener to M^r Charles Rosse factor for the said S^r Andrew forrester conforme to his dischairge dated the 23 of junij 1682 all specifeid and contained in ane decrett obtained at the said compleaners instance against before the lord of Councell and sessione upon the thrid daye of March as the said letters of capitone in themselves more fullie bears which is signett the 14 of Junij 1683 and this done by James Clealand messr.

[See December 3rd.]

November 26th 1684

Ro^t Innis
warded.

Robert Innis merchant in leith werdit by wertew of letters of capitone at the instance of John law laū^{ll} sone and only eḡ^r dative decernd and confirmd to the deceased William law goldsmith burges of edr and Jean Campbell the said compleaners Mother for not payment mackeing to him of the soume of tuo hundreth and nynteen punds Scots money as prn^{ll} with eighteen punds money foresd of expenss of pley contained in ane decrett obtained be the said compleaner his instance before the Comissiōrs of edr or the baillies yrof vpon the 18 of octo^r last by past as the said letters of capitone in themselvs more fullie bears which is signet the eighteen day of nover 1684 And this done by hew trotter who restricked the prn^{ll} soume contained in the said capitone to the soume above wryttine by adwyse of John hamiltoune wryter to the signett the compleaner his brother in law

[See January 7th 1685. The complainer was the famous John Law of Lauriston, financier, author of the Mississippi Bubble, &c. &c.]

November 27th 1684

Mr Ro^t
Mowatt and
Mr John
Knox
warded.

Mr Robert Mowatt ¹ and Mr John Knox ² ministers werdit by the Lords of his majesties privie councell

November 28th 1684

Eight
persons
warded.

Mr heugh maxwell
James Graham ³
John Wallett
Andrew McKerter

William Sprout
Alex^r McMillan ⁴
William McCamen
John Kinked

¹ Minister of Herriet. See March 12th 1685.

² Minister of West Calder. See March 8th 1685.

³ Hanged at the Gallowee, December 9th.

⁴ See February 5th 1685.

November 28th 1684

Robert McCleallan of Ball Mcgauchine¹ John Broune John hendir- Four warded.
sone² & James Glover³ werdit by ordour of his māties privie
Councell

December 1st 1684

Which day my Lord Advocat gaive power and warrand to Arthur Jean Melline
vdnie on of the masters of ye Tolbuith to set at liberty Jean Melline relieved.
spous to Alex^r Heriot kotchman.

December 2nd 1684

Polk maxwell of that ilk wardit by ordour of his majestie privie Polk max-
Councell well warded.

December 2nd 1684

S^r Adam Blaire of Carrberrie werdit . . .
[For debt.]

S^r Adam
Blaire
warded.

December 3rd 1684

Mr Andrew Hetherweck of pittcullo afforsaid areisted at the Mr Andrew
instance of James Crystie of Stentoune eldest lafull sone to the deceist hetherweck
Mr James Chrystie of Stentoune and John foulds of Ratho his tutore arrested.
dative to him for his intrest, for not payment maiking to him of the
soume of ffyve hundreth marks Scots money with @ndrent and expensses
. . .

[See next two Extracts.]

December 3rd 1684

Mr Andrew henderweck of pittcullo aforesaid areisted . . . at the Mr Andrew
instance of John Geills servitour to S^r James Cockburne of y^t ilk for henderweck
not payment maiking to him of the soume of Thre hundreth and arrested.
forttie seventh pundis fforteen sh: Scots money prin^l tuentie pundis
money of liquidat expenssis . . .

¹ Had a remarkable career. See Wodrow's *Sufferings*.

² See December 6th.

³ See Wodrow ; also April 13th 1685.

December 3rd 1684

Mr. Andrew
Hetherweck
arrested.

Mr Andrew Hetherweck of pittcullo aforesaid areisted by wertew of ane registrat band and act of werding for not payment maiking to walter Scott Glassier burges of edr of the soume of tuentie six punds Scots money with six punds Scots money of expenssis with the anrents off the sd prin^l soume . . .

[See December 18th.]

December 3rd 1684

Seven
warded.

John pollock

William pollock ¹Anna Kerr spouse to John bining of dalvennan ²Jean Dreumond ³

Margrat Lessly

Issobell Smith

Janett flumertoune werdet by wryttin warrand under my lord linlithgow his hand q̄rof the tennour is this

Edinbrugh the 3 of Decem^r 1684

Magistrats of edinburgh receive and detain the above wryttin persons prissoners till further order

Sic Sub Linlithgow I p d

December 3rd 1684

John
bannataine
warded.

You are heirby ordoured to receive the persone of John bannataine and put him in suire firmance in yo^r tolbuith or any vther prissone you please you being ansuerable for him that he escape not and keep him untill the councells order determein you how to dispose of him for which doing thes p̄nt shall be yo^r warrand Givin at leith this first of Decem^r 1684 for the Lord proveist of Edr or any vther magistrat of the good toun thes presents may concern

Sic Sub [blank] chañcer

December 4th 1684

Pat. Walker
warded.

Patrik walker werdit by ordor of his māties privie counsell James Irving meacer

¹ See March 12th 1685.² Probably the relict of James Duncan, a minister. See King Hewison's *The Covenanters*, vol. ii. p. 224.³ See March 30th 1685.

December 4th 1684

James Younge baillie of Streaven werdit conforme to his bond of presentatione Ja. Younge
warded.

December 6th 1684

The lords of his māties privie councill doe heirby give order & warrand to the Magistrats of Edr to sett John Hinderson prisoner in ther Tolbuith from England at libertie in regairde he haith the suorne and signed the test John
Hinderson
relieved.
Sic Sub Will: Patersone

December 6th 1684

Margaret Stiven relict of w^mq¹¹ Alex^r Moncriff incarcerat at the instance of Sir John ffoulis of Revilstoune does heirby ordaine to sett hir at libertie for the space of tuentie dayes after the daite heirof for goeing about hir necessar affaires & indeavours to macke pay^t of the soumes for which she is incarcerat She giving bond to the Goodman of the Tolbuth to return if she doe not satisfie me befor the tuentie dayes elapse as the sd consent in it self more fullie bears Margaret
Stiven
relieved.
Sic Sub Jo: Foulis

December 6th 1684

Edr 2^d Decēr 1684

The Lords of his māties privie councill haveing considered ane petitione presented by Mr Anthonie Murray of woodend now prisoner in the tolbutth of Edr doe heirby give order & warrand to the magistrats of Edr to sett the sd Anthonie Murray at libertie furth of ther tolbutth in regaird he hes inacted himself in the bookes of privie councill to re-enter the sd prison betuixt & the 2d day of Jarij nixt under the penaltie of fyve thousand merks Scots money Mr Anthonie
Murray
relieved.
Sic Sub Colin McKenzie
[See January 1st 1685.]

December 6th 1684

Edr 4 Decēr 1684

The lords of his maties privie councill doe heirby order & warand the magistrats of Edr to sett James Chancellor of Sheithill at libertie furth of ther tolbutth he haveing tacken the oath of alledgence signed in the bond of pace he haveing inacted himself in the books of privie Ja. Chan-
cellor
relieved.

council to compeir when called for wnder the penaltie of tuentie
thousand pound Scots money *Sic Sub Will: paterson*

December 10th 1684

Mr Alex^r Or
relieved.

Thes are ordoring you to dismiss Mr Alexander Or from his imprison-
ment without his paying any fees & that wpon sight heirof for which
doeing thes presents shall be to you & all wthers concerned ane full &
sufficient warrand Given at Halyroodhouse day & month forsd

Sic Sub Perth Cancell

To the keepers of the
tolbuth of Edr or any els
whom it may concerne

December 11th 1684

Three
warded

Mr William Tullidaff	} wardit by order of his M ^{ties} privie Councill James Irving messar
Mr Rolph Rodger	
Mr John Boyde ¹	

December 12th 1684

W^m Petter
warded.

Thes are giveing ordor & warrand to the shirreff deput of Lingow
to apprehend & send in prisoner to Edr Tolbuth the person of William
Petter chapman in Linlithgow & to delyver him to the Magistrats of Edr
who are heirby to receave him & detaine him prisoner till farder order

Sic Sub Geo: McKenzie

December 13th 1684

W^m Petter
warded.

Thes are to desyre you to receave the person of William petter
prisoner & give receipt of him & this shall be your warrand from

Sic Sub David Spence balzie

December 13th 1684

pat. Moor
relieved.

Thes are giveing order to sett patrick Moor brother to the laird of
Rouallan from Tuidmouth in England prisoner at libertie in regaird
he hes suorn in presence of the lords of the Committie & signed the
oth of alledgence

Sic Sub Will: paterson

¹ Should be Robert Boyde. See January 8th.

December 13th 1684

Thes ar desyring & ordaining the Magistrats of Edr or keepers of the Tolbuth to sett at libertie the person of Robert Smith in Smithtoun^{Ro^t Smith relieved.} at libertie in regaird he hes in presence of the lords of the Comittie suorn and signed the oath of alledgence & enacted himself in the books of privie Councell that heirafter he shall live regularly & ordourly & keepe his paroch church and compeir befor the lords of his Mätties privie councell when called under the penaltie of fyve hundred merks Scots money
Sic Sub Will: Paterson

December 13th 1684

Thes give warrand to the keepers of the Tolbuth of Edr to sett Margaret Guiding at libertie if she be imprisoned for no other cause^{Marg^t Guiding relieved.} but the suspisone arrysing from hir careing meat & drink to prison in the iron house hir ffather being prisoner in that place
Sic Sub Geo: McKenzie

December 13th 1684

Order to receave the persone of [blank] Ballentyn & putt him in Wardit^{8 Dec^r.} suire firmance q̄l the keepers are ansuerable for him that he escape not untill the counsell determine how to dispose of him for which pñtts thes [Blank] Ballentyn shall be yo^r warand
Sic Sub Perth Cancell ^{warded.}

December 16th 1684

Thes are ordoring the magistrats of Edr to sett Alex^r Arnot of lochrig at libertie in respect the lords have examined him and found nothing to lay to his chaarge aither by examina^one or informa^on and lyk-ways haveing suorn & tacken the Test in presence of the sds lords & inacted himself to live regularly & compeir when caled under the penaltie of Ane Thousand pounds
Sic Sub Colin McKenzie ^{Alex^r Arnot relieved.}

December 16th 1684

The Lords of the Committee of his mäties privie counsell haveing considered the petiōne given in by Sir John Dalrymple who entred to the Tolbuth upon the ii Sept^r last and supplicating that he might be liberat in respect his clyents sustaines prejudice Doe grant order
^{Sr Jo. Dalrymple relieved.}

for the sd Sir John Dalrymple his libera^one in regaird he haith found ca^one to confyne himself within the citie whill the counsell tacke the confynment away & to ansueir when called aȳr befor the Counsell or Comittie wnder the paine & penaltie of fyve Thousand pound starling

Sic Sub Perth cancell
Geo McKenzie

December 17th 1684

Ja. Campbell
relieved.

The lords of his māties privie counsell herby give ordor & warrand to the magistrats of Edr and keepers of the Tolbuth therof to sett the persone of James Campbell of Treesbanks prisoner latly sent in by the lords Comissioners of the district at Ayre in regaird he hes suorne & signed the Test and found cau^one acted in the bookes of his māties privie counsell to compeir when called for wnder the penaltie of nyn thousand merks Scots money

Sic Sub Will: paterson

December 18th 1684

Mr. Androw
Hatherwick
arrested.

Mr Androw Hatherwick arristed at the instance of John Moir of Craigaruall for not paȳt mackeing to him of the soume of ane hundred fiftie seaven pound Scots fourteen shilling four pennis . . .

December 19th 1684

Ja. Restoun
relieved.

The lords of his māties privie Council does heirby give ordor & warrand to the magistrats of Edr and keepers of the Tolbuth y^rof to sett the person of James Restoun in Grangeburnmilne at libertie in regaird he hes in ther presence suorn and signed the Test and enacted himself in the bookes of privie counsell to compeir when called and that in the meantyme he shall live regularly and orderly & keep his paroch kirk wnder the penaltie of fyve hundreth merks Scots money

Sic Sub Colin McKenzie

December 22nd 1684

Advocates to
have access
to Jervis-
wood.

For as mutch as the lords of his māties privie counsell haveing given ordor & warrand to his māties advocats to compeir & persue ane proces of Treason & forfealtur befor the lord Comisioners of justiciarie Agst Mr Ro^t Balzie of jariswood to the end ye sd jerriswood may have libertie & benefitt of Advocats to consult & plead for him in the sd

proces The sds lords doe allow ony Advocats he shall think fitt to imploy Except Sir Geo: Lockhart & Sir John Lauther who are to concurre consult appear & defend for him in the sd proces without any hazard wpon that accompt & farder grants warrand to the keepers of the Tolbuth of Edr to permitt the Advocats who are imployed by the sd yeariswood together with his wther frinds to have free access to him from tyme to tyme as they shall desyre the same and that dureing the dependanc of the sd proces allanerly the sd keepers being allwayes heirby declaired obleidged for the saiff custodie of the sd yeariswood his prison [should be person] that he be not suffered to escape As the will be ansuerable at their highest perrill

Sic Sub Will: paterson

[Robert Baillie was now near the end of his sufferings. The following day, attended by his sister-in-law Helen Johnston, Lady Graden, he appeared before the Justiciary Court, and after a brief but memorable trial was sentenced to be hanged, drawn, and quartered, the parts to be fixed on the Netherbow and on the tolbooths of Lanark, Ayr, and Glasgow. He was tried in the morning and the sentence was carried out in the afternoon.]

December 24th 1684

James Muirhead of Bredisome wardit by order of his māties privie Council and brought in by Captain Grahame

Ja. Muir-
head warded.

December 27th 1684

Thes are to give warrand and order to the magistrats & keepers of the Tolbuth of Edr to putt the persone of Hugh Scott at libertie in respect he haith found sufficient ca'ne to apeare when called befor the privie councill . . .

Hugh Scott
relieved.

Sic Sub Colin McKenzie

December 28th 1684

Magistrats of Edr & keepers of the Tolbuth therof set Wiliam Cunningham younger of Enterkin at libertie & this shall be your warrand

W^m Cuning-
ham yo^r
relieved.

Sic Sub Will: Paterson

December 30th 1684

Capt Jo.
Andersone
warded.

Captain John Andersone Burges in Glasgow wardit by vertue of l̄res of captione at the instance of Robert Corss mert in Glasgow and preceptor of the hospitall situat y^r called Hutchison hospitall for not pay^t mackeing to him of the soume of Tuelve hundred pound Scots money Tuo hundred pounds of expenss & certain bygane an rents contained in ane band granted be John Barnes as prin^{ll} and the sd John Andersone as caⁿer of the daite the eleavent day of Aprill 1677 regrat in the Comissar c^ourt bookes of Glasgow wpon the first of novem^r last as the sds l̄res of captione in themselves more fullie beares By vertue q̄rof Robert Mackie messinger obtained concurrence from Balzie hamiltoun

[Relieved January 1st 1685. John Barnes is described in the order of liberation as 'John Barnes younger late provist of Glasgow.']

December 31st 1684

W^m Scott
warded.

William Scott of langhop wardit by order of the high lord Chancilar q̄rof the tenor follows

You are heirby ordored to receave the persone of William Scott of Langhope & putt him into closs prisone and in irons untill farder ordor for which doeing thir p̄ntts shall be to you and all concerned ane good and sufficient warrand given at Edr the 31 December 1684

Sic Sub Perth Cañcell

[See January 10th 1685.]

JOHN A. FAIRLEY.

THE SEDAN CHAIR IN EDINBURGH

A COMPLETE inquiry into the origin of the type of conveyance referred to in the above title would be desirable and interesting, but would lead to the narration of much that would fall neither within the scope nor the limits of this article. As, however, it will add considerably to the interest in the subject if a correct understanding is acquired of the elementary facts of the historical development of the Sedan, and as in regard to this point there has been much misconception in the past, it will be necessary to deal with it briefly before passing to the more immediate purpose of the article.

It is well known that in eastern countries the custom of carrying persons both in reclining and sitting postures is a very ancient one, and that the practice found its way into classical Europe at an early date. Both the *Basterna* and the *Lectica* were forms of litters used by the Romans, but they bore no resemblance to the modern Sedan inasmuch as they were adapted for a reclining and not a sitting posture. The Romans, however, had a third type of litter, named *Sella gestatoria* or *Sella muliebris*, and this appears to have been the real progenitor of the European portable chair, as it was adapted for a sitting posture and was carried much in the same way as the Sedan was carried. Any thorough research into the question of the extent to which the *Sella gestatoria* was in use during the Middle Ages, and of its evolution throughout the centuries into the precise form in which it took its rise in modern Europe, would have to be made in Italy; but so far as the writer has discovered, this task has never been accomplished and probably

never attempted. Indeed, there is very little literature on the history of the Sedan. In this country a magazine article has occasionally appeared, usually treating the subject in a general way, but one looks in vain for any systematic history of the long reign of the Sedan in Britain.

Whatever may have been the history of the *Sella gestatoria* in the Middle Ages, all the evidence goes to show that the portable chair, as it is known in modern Europe, had its origin in Italy, and that it subsequently found its way into France, Spain, Great Britain, Ireland, America and other countries. Indeed, in the *Album Historique*, edited by Professor A. Parmentier, and published in Paris, it is stated quite definitely that the Chaise à Porteurs, as the portable chair was designated in France, came from Italy into that country. In an article in *La Grande Encyclopédie* on the Chaise à Porteurs there is reference to an entry in 1556 in certain royal accounts of a chair for Catherine de' Medici, and it is therein also stated that especially after the time of her daughter, Marguerite de Valois, the chair came greatly into fashion in France. In 1617 a company obtained Letters Patent authorising them to put hackney-chairs on the streets of Paris and other cities, and thereafter for considerably more than two hundred years the Chaise à Porteurs was a picturesque sight in the larger French towns.

It has been stated that the chair was seen in England as early as 1581, and, although the statement is not supported by proof, there is no reason to discredit it. Probably, however, the earliest definite record of Sedans being brought to England is that with reference to the visit of the Prince of Wales, afterwards Charles I., to Spain in 1623. On that occasion Charles and Buckingham appear to have brought home with them one or two Sedans of curious workmanship, and it was probably one of these chairs which the Duke afterwards used in London.

In '*The History of Great Britain* : being the Life and Reign

of King James the First, relating to what passed from his first accesse to the Crown till his death,' by Arthur Wilson, and published in 1653, we read: 'So after, when Buckingham came to be carried in a Chair upon men's shoulders, the clamour and noise of it was so extravagant that the People would rail on him in the Streets, loathing that Men should be brought to as servile a condition as Horses. . . . But when Time had made those Chairs common, every loose Pimp or Minion used them; so that that which gave at first so much scandall, was the means to convey those privately to such places where they might give much more.'

What progress the chair made in London during the first two decades of the seventeenth century is not very clear, but it is claimed that it was first publicly in use in the city of Bath. It was not, however, until Sir Sanders Duncombe introduced his chair from Italy that it became really popularised in London. Sir Sanders procured a Letter Patent in 1634 for setting up hackney-chairs in London for fourteen years, the number put on the streets at first being forty or fifty. As corroborative evidence that Sir Sanders introduced his chair from Italy, Evelyn, when at Naples, writes in his *Diary* under date of 8th February 1645: 'The streetes are full of gallants on horseback, in coaches and sedans, from hence brought first into England by Sir Sanders Duncomb.'

Having thus briefly indicated how the chair came to England, it may be of interest to consider the name which was given to it in England, and afterwards throughout all English-speaking countries where it was used, namely, that of 'Sedan,' for, of course, that name was not applied to it in any Continental country. The fact is that the origin of the name remains to this day a mystery, but certain writers in the eighteenth and nineteenth centuries, without entering into any thorough and scientific investigation on the subject so far as is evident, propounded the theory that the chair derived its name from the town of Sedan in the north-east of

France. Samuel Pegge, F.S.A., for instance, in his book entitled *Curialia Miscellanea, or Anecdotes of Old Times*, published in 1818, writes: 'The place principally hinted at in the above Grant, or Patent, seems to have been the City of Sedan in Champagne; where, we are at liberty to suppose, these covered Chairs being most in use, they obtained with us the name of *Sedan Chairs*, like the local names of *Berlin* and *Landau*.' Dr. Johnson also 'believed' this to be the origin of the name. Although such a supposition may on the face of it seem quite plausible and quite possible, there is no evidence to support it, and in view of what has already been shown as to the early history and development of the chair, the theory is not one which can be adopted without some very clear proof. It lies quite out of the historical setting which has above been indicated, and, in addition, it seems unlikely that the chair was in use in a northern French town before its introduction into Paris and other large French cities. As above indicated, the etymology of the word 'Sedan' is obscure. So far as can be ascertained, its first use was just after Duncombe introduced his hackney-chairs. In the grant in his favour they are referred to simply as 'covered chairs,' but in the entry in the Index of Patents for that year the reference is to 'covered chairs (called Sedans).' The name was evidently a new one, for in the play by Richard Brome, entitled *The Sparagus Garden* (1640), we read: 'What, have you some new project afoot now, to out-goe that of the Hand-barrowes? What call you 'em, the Sedams (*sic*)?' And also: 'If your wife be the gentlewoman of the house, Sir, shee 's now gone forth in one o' the new Hand-litters: what call yee it, a Sedan?' Sir Robert Stapylton in his translation of Juvenal in 1647 refers to 'using chayres or Sedans,' and in the quotations which will hereafter follow from the Town Council Minutes of Edinburgh, the same double description will be noticed. We thus see that, in the early history of the Sedan, sometimes it was called a hand-litter, sometimes a covered

chair, or a chair, and sometimes a Sedan. It may be explained in passing that although by usage the Sedan has frequently been referred to, and perhaps more usually known, as a Sedan-chair, this term is erroneous. The original name, as applied to a covered portable chair, was 'Sedan.' Duncombe may have brought the word with him from Italy, or he may indeed, for some reason or other, have adopted the name of the town of Sedan, but in discussing the origin of the word, the *New English Dictionary*, edited by Sir James Murray, LL.D., states that 'there seems to be no trustworthy evidence of the existence in Italian dialects of any form from which the English word could be derived,' and that 'the conjecture [? first in Johnson, 1773] connecting the word with the name of Sedan, a town of N.E. France, has nothing to support it, and seems unlikely.' It must be confessed therefore that up to the present time the name of Sedan as applied to a covered portable chair is an unsolved etymological problem.

As the Latin and French names imply, the Sedan in its elementary form was really a chair for carrying, and in order to protect the individual from wind and rain a covering on a frame was put over it. The earliest chairs as used in London and Bath in the early seventeenth century were somewhat crude in design and construction, but they soon developed into the typewell known on the streets of Edinburgh. This was a framework of wood, frequently red-wood, covered in the first place with canvas, over which was an outer covering of strong leather, the leather being tacked on to the framework with countless tacks. The interior of the ordinary chair was lined with a strong coloured lining, and was fitted up with a cushioned seat which was generally adaptable to three or even four degrees of height by means of grooves. In front, that is opposite the seat, was the door, which was securely fastened by a latch, and the top of the chair was practically a lid, hinged at the back and having in front a groove which fitted on to the top of the door. The top was

slightly raised in the centre in order that rain or snow might readily run off it. There were three windows with movable sashes exactly on the design of the present-day cab window, namely, one in the door and one on either side of the chair, and these were fitted up with blinds and sometimes curtains. On each side, on the exterior of the chair, was a square iron staple into which were inserted the carrying poles. The poles were made of lance-wood, ash, or other tough and elastic wood, the latter quality being required in order to give a certain amount of spring to the chair. The leather for the exterior covering had to be of the strongest quality, and was frequently the stamped leather of the period. Although probably the leather was generally black it was often painted in suitable dark colours, and the better chairs occasionally in French grey. Some of the Edinburgh chairs had the door at one of the sides in place of at the front, as was elsewhere probably universally the rule. This modification in the construction was for convenience in entering into the chair from doorways or staircases in the narrow closes and passages of the city. Some of the seats were not in grooves as was usually the case, but on a swivel, so that in descending or ascending the steep streets of Edinburgh they might retain their horizontal position. But there was, in addition, the private chair. It was generally made on the same lines, but varied greatly in costliness of construction and decoration. Such a chair might be something little better than an ordinary street-chair or a highly finished piece of work embellished with gilding and carving or painting. The private chairs of the late seventeenth century and early eighteenth century were resplendent with much gilding, the gilding being applied wherever possible, and taking the form to a large extent of hundreds of water-gold nails inserted close together all round the edges of the chair. But besides that, the frames for the windows, door-latch, and other fittings were also gilded. On the top of the chair there was frequently an upright design

such as a medallion with birds and flowers, cherubs, etc., or a coat of arms, fleur-de-lis, etc. It must be kept in view, of course, that while the ordinary hackney-chair differed very little in external appearance for two centuries, the decoration of the expensive private chair, like furniture, was affected to a large extent by the particular artistic ideas of the periods. Reference has been made to the period of lavish gilding, but, later on, the decoration of the expensive chairs was taken up by some of the best French artists, who covered them with pastoral and other scenes of the finest work. The interiors were beautifully upholstered with cushions and covered with crimson or yellow velvet or brocade, sometimes embroidered and embossed with silver. But there were many chairs of a less ambitious nature, and numbers of the private chairs used in later days could be classed neither among the early richly gilded ones nor among those on which artists executed paintings. They were sometimes covered with very fine embossed leather and decorated with stamped metal work, the interior being daintily and comfortably finished. A very good idea of the rich private chair towards the end of the seventeenth century may be gathered from the detailed account given in Cunningham's *Story of Nell Gwynn*, of a chair belonging to that lady.

The usual dress of a chairman was a long blue coat with brass buttons, knee-breeches, shoes with buckles, and a three-cornered hat; but as in Edinburgh the great majority of the chairmen were Highlanders, the hose were sometimes tartan in design, as shown in the illustration in Kay's *Portraits*, afterwards referred to, and the headpiece the well-known Scottish blue bonnet. The private servants of the aristocracy who acted as their chairmen had, naturally, their own special liveries. The burden of the chair fell in great measure, if not mainly, on the shoulders of the bearers by means of the strong leather slings which were passed over their shoulders and were slipped on to the poles on each side. It was usual, therefore,

to have the part of the coat over the shoulders, round which the slings rested, covered with a band of leather in order that the coat might better stand the necessary tear and wear.

It is not known when the Sedan first appeared in Edinburgh, but perhaps the earliest record of its use in the city is associated with the visits of the Marchioness of Argyll to her husband when he was imprisoned in Edinburgh Castle in 1661. No doubt the chair was the personal property of the Marchioness, as the hackney-chair had not then appeared on the streets, and although we do not know whether it was brought from England or France, we can imagine its exit from Ross's Court, borne by West Highlanders, and its progress up the Castle Hill. It will be remembered that on the day on which the Marchioness made an attempt to effect the escape of the Marquis by means of the chair, he was on the point of entering it, attired in her dress and coif, when for some reason he drew back and abandoned the attempt.

There was no coachmaker in Edinburgh till about 1696, and even then the work consisted principally in repairing coaches made in London, so that there was no one in Edinburgh competent to make an elegant Sedan. It naturally followed that all portable chairs which might be wanted in Edinburgh had to be imported. Besides, while the greater number of the upper classes still lived in stairs in the high tenements, it was no doubt difficult to find suitable accommodation for a Sedan. Had the Royal Court continued to be in Edinburgh, the probability is that the Sedan would have come to its own in the city earlier than it did. At the same time the general use of the chair was bound to come. There was indeed a great lack of some suitable conveyance, especially for ladies going out of an evening. The first attempt to give a public convenience of this kind was the placing in 1673 of twenty hackney-coaches upon the High Street, but although they were to a certain extent useful in conveying passengers from

point to point between the Castle and Holyrood, and to places outside of the city, they were not well adapted as a means of conveyance within the city owing to the narrow wynds and steep inclines leading off the main street. Indeed, so little were they a success that in 1752 there were only fourteen, and in 1778 only nine, the utility and cheapness of the Sedan having reduced the demand for them.

Before entering on the history of the Sedan in Edinburgh, it is well here to state that although it was in Edinburgh that it was best known and most largely used, it is not correct to say that it was not used elsewhere in Scotland. In a letter to Lady Anne Gordon, Countess of Eglinton, intimating the death of her mother, Anne Lockhart, Countess of Aberdeen, dated from Aberdeen, 15th July 1707, the writer says: 'My lady having, somewhile after your ladyship left this country, recovered such a measure of health as to be able to go abroad in a chair,' etc. The Rev. Dr. Alex. Carlyle, minister of Inveresk, who resided in Glasgow in 1743-44, states in his *Autobiography* that at that time 'there were neither post-chaises nor hackney-coaches in the town, and only three or four Sedan-chairs for carrying midwives about in the night, and old ladies to church, or to the dancing assemblies once a fortnight'; and Andrew Aird in his *Glimpses of Old Glasgow*, about the middle of the nineteenth century, speaking of Drury Street, connecting West Nile Street with Renfield Street, says: 'I think here must have been located the last of the establishments for letting out Sedan-chairs to the public. I well remember in this street a signboard giving a pictorial representation of one of these chairs with the rates for hire.' The Sedan was also used in the town of Dumfries, as will be seen from the following advertisement in 1827: 'Sedan Chairs. The subscription for purchasing two new chairs will remain open ten days or a fortnight longer, after which period it will close; and as the use of the chair will be confined wholly and exclusively to subscribers and their families, it is requested

that, if any ladies, either in town or country, still wish to subscribe, they may send their names to the Chairmen without delay.—Dumfries, March 6, 1827.’

On 19th October 1687, Alexander Hay, a carpenter in Edinburgh, presented a petition to the Town Council, in which, designating himself a Burgess of Edinburgh, he declared that he had always endeavoured, as in duty bound, to be serviceable to the good town and to promote and advance anything that might tend to the public good of the inhabitants, and stated that for the ease, benefit, and public good thereof he had erected and furnished six chairs or Sedans, which he proposed to put on the street for public hire. In doing so he indicated that he had specially in his mind the ladies of the nobility and of quality, and also sick and infirm persons. He pointed out that with such a mode of conveyance persons could be conveyed through any of the closes or wynds where coaches could not go. The chairs were each to be carried by two men in handsome livery coats. He proposed to charge seven shillings Scots for the carriage of a chair from the Castle to the Abbey, and for each hour’s attendance the like sum, but stipulated that if any one wished to be carried out of the town he should have liberty to make his own bargain. He further prayed that as he had been at considerable expense in furnishing the chairs, and would thereafter be brought to more in maintaining servants, and as the design which he had in his mind to carry out had not yet been practised in the kingdom, the Council should allow him and his heirs and successors the only benefit of keeping and making up of chairs or Sedans for such time as they should think fit, and to that effect to discharge any others from erecting, setting up, or making use of any such chairs during that time. The Council having considered the matter, and found the project above-mentioned ‘to be for the profit and convenience of the inhabitants and others his Majesty’s liegges, and the supplicant being the first

person that has hitherto attempted to undertake the like, Therefor for his encouragement they have granted and hereby grant liberty and warrant to the said Alexander Hay supplicant, his heirs and successors, to make up chairs or Sedans for the space of eleven years, and discharge all others during the said space to sett up the like chairs or Sedans.' The tenor of this Minute suggests that the Council considered that this had been a long-felt want, and that it had given them satisfaction that a burgess of the city had at last had the enterprise to start a system of hackney-chairs. But having granted this privilege to Hay, they demanded some obligation on his part, and accordingly declared 'that the granting the libertie and license shall oblige the said Alexander Hay and his foresaids to furnish so many chairs more than the said six chairs if they find there is a necessitie for the convenience of the inhabitants and others, his Majesty's liedges, as the Counsell shall think fit to appoint, all upon the supplicant and his foresaids their expences, and the Counsell discharges the supplicant to exact any higher rates for his chairs or Sedans within the bounds of the Citie and Cannongate, than the rate above mentioned.'

We have no means of stating what additions were ordered by the Council to the Sedans originally placed by Hay on the street. The project, however, seems to have been a success. Meantime the Revolution had taken place, and Alexander Hay had died and left a widow and children, and we hear of the matter in Council twelve and a half years after the chairs had first been placed on the street. On 3rd April 1700 a petition was presented by Euphan Ross, designated as relict of the deceased Alexander Hay, Wright, Burgess of Edinburgh, and also by her children and her second husband (for she has again been married) for their interests, in which after narrating the Act of Council of 19th October 1687, in favour of Alexander Hay, they stated that the widow and children had been left without any pro-

vision, and no other means of subsistence but what arose from the hiring of the chairs or Sedans, and that if they were not allowed to continue their hiring business, the children would certainly be a burden upon the town, and they therefore craved a continuation of the licence for the maintenance and education of the children during their minority. This the Council agreed to, stipulating, however, that the chairs should always be kept good, sufficient, and neat and clean. For another six years the Hays continued in possession of the monopoly, but the use of the Sedan was becoming more popular, and at this time another competitor for public custom came into view. On 22nd March 1706 the eldest daughter, Katharine, who in the interval between 1700 and this date had attained her majority, been married, and become a widow, presented a petition on behalf of her younger sisters, stating that James Brown, Indweller in Edinburgh, had presumed to hire and let out Sedans contrary to the act in their favour, and craving the Council to discharge him from so doing during the minority of Ann and Jean Hay. A committee having considered the petition together with James Brown's answers, were of opinion that Brown should be discharged as craved during the minority of the daughters, under the pain of ten merks Scots, *toties quoties*, and that the petitioners should always be obliged to keep the chairs sufficiently light and clean for the use of the lieges. This was agreed to by the Council.

Some interesting details may be gleaned from contemporary documents of the hiring at this period. For instance, in the Account Book of Sir John Foulis of Ravelston, there is frequent reference to the hire of coaches to Ravelston, Leith, and other places.¹ There are not, and of course could not possibly be, any entries in regard to the hire of chairs until the year 1687. The first entry for payment of hire for a Sedan appears on 4th September 1690, and is 'for a chair

¹ *Scottish History Society*, vol. xvi.

hyre to my wife doune to the lodging and back, 14s. [Scots].’ It has been seen that Hay was to charge 7s. Scots for the journey from the Castle to Holyrood, which no doubt also referred to part of the journey as well as the whole, and this charge coincides exactly with what was charged on this occasion. The following are other entries during the time when the Hays held the monopoly :

Dec. 11, 1694—To my wife to pay her chairmen	0	14	0
May 3, 1699—To the chairmen brought out my			
wife to ravelstoune	1	9	0
To them to drink	0	6	0

Sir John’s eldest daughter was married to Sir James Justice of East Crichton, the Principal Clerk of Session at that time, and when Lady Foulis went to see her daughter and took a chair, we have such an entry as the following :

Jan. 4, 1700—To y ^e chairmen caried my wife			
down and up from S ^r Ja. Justices	0	14	6

Or when Sir John himself travelled from his country-house of Woodhall in a summer evening and probably had a game of cards, such an entry as this occurred :

June 10, 1704—For the chair from S ^r Ja.			
justice’s house	7	0	0
To y ^e men to drink	0	2	0

The following entry records a visit by Sir John to the hot baths, then established in Edinburgh :

Mar. 18, 1704—For sweiting in the balnes 3 ^{lib.} ;			
for canarie 14 ^{sh.} ; coffee and brandie 14 ^{sh.} ;			
to ye servants waited on 14 ^{sh.} 6 ^{d.} ; is all	5	3	6
To y ^e chairmen carried me y ^r and back	1	0	0

To these entries may be added :

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March 18, 1707—To eall and bread to the Chair-			
men and gardiners at Heriots workyards			
w ^t adam rae	0	6	0
To the chairmen caried me out and in	0	18	0
March 21, 1707—To the chairmen caried me out			
and in from Heriots workyards	0	15	6
April 3, 1707—To y ^e 4 Chairmen caried me out			
to woodhall	4	0	0
For eall and brandie to y ^m by the way . . .	0	7	0
To them to drink payed be my wife	0	8	0

The four chairmen would not carry all at once, but two by two. This was a common practice both on the Continent and in England when a long journey was to be undertaken, and we have another instance of this a little later when we find that it was the habit of Mrs. Harper, wife of the first incumbent of Old St. Paul's Episcopal Church, and daughter of Sir David Threipland, of Fingask, Perthshire, when visiting her parents to make the journey to Fingask in a Sedan with three chairmen.

The Household Book of Lady Grisell Baillie also contains several entries of payments for the hire of chairs at the beginning of the eighteenth century.

In the dark winter nights in those days it was a somewhat hazardous business to pilot a chair up the High Street, where the regulation candles in the first-floor windows served to do little more than cast a glimmer into the darkness, and when riots and brawls were not infrequent. For example, on 2nd February 1705, a few minutes after the ten o'clock bell had rung out from the Tron, David, Earl of Leven, a Privy Councillor, General of the Scottish Ordnance and Governor of the Castle, was proceeding home to the Castle in a Sedan, accompanied by two footmen, one of whom was carrying a lantern. Some young men of well-known families having had an evening of a bacchanalian nature were finishing up

with a dance on the street. On being reprimanded by one of the footmen for jostling against him, one of them instantly suggested to his friends that 'it would be brave sport to overturn the Sedan in the mud.' The company accordingly assailed the two footmen and smashed the lantern, and on the Earl speaking under strong indignation from the Sedan, one of them drew his sword and stabbed a footman. The trial of the brawlers is recorded in the Privy Council Records, and the story is told by Grant in *Old and New Edinburgh*.

In 1710 there was established in the West Bow the famous first Dancing Assembly. In the same year the before-mentioned James Brown presented a petition to the Council. By this time it would seem that the extension of the licence granted to the Hays had expired, and that for some time Brown had been hiring out chairs. The petition, which is dated 22nd February, is in the name of James Brown, Chairman, Burgess of Edinburgh, and narrates that 'having served the nobility and gentry and inhabitants of the city with good and sufficient chairs these several years bygone to their satisfaction without any complaint and having paid considerable stent and annuity for his said trade, as appears from the discharges from the collectors produced, yet notwithstanding whereof the petitioner is envayed for his trade, and mollested by his neighbours who have prevailed upon the Commander of the Town Guard at their own hand without any warrant from the Council to discharge the Petitioner's chairs to stand upon the street with his neighbours' chairs at the Guard and the Tron where chairs are in use to stand,' which the petitioner conceived 'to be an encroachment upon his right as a Burgess and as distinguishing him from others, to the ruin of his trade.' In these circumstances Brown craved warrant to place his chairs at the Guard and Tron and other places of the city with the rest of his neighbours and to discharge all others from molesting him in his trade. The Council granted warrant in terms of the prayer of his petition. The

petition does not specify who the neighbours were, but one may judge that it refers to those who hired out Sedans. Brown had undoubtedly been successful, and he himself suggests envy as the cause of interference with him. Whether this sprang from the Hays or not he does not say, but no doubt after having the business completely in their hands for so many years they would naturally regard Brown as an interloper. It is not evident whether in the interval between the coming of age of Hay's two daughters and the date of the petition, others besides Brown had received permission to put chairs on the street for hire. At all events, we certainly have the Hays or their successors and Brown carrying on the Sedan-chair business at the beginning of the eighteenth century. Hay's men were in livery coats from the very first we know, and there can be little doubt that Brown would not be behind in this matter.

On Assembly nights the procession of the hackney-chairs mingling with the gilded and otherwise decorated private Sedans in the steep ascent up the High Street and Lawnmarket, and down the West Bow, formed a picturesque sight. For ten years the Sedans made their journeys up the Lawnmarket, but after 1720 the procession made for the Old Assembly Close, down which the ladies were carried in their Sedans, these being taken right into the spacious lobby lighted by sconces.

The arrival of the Sedans with their beautifully dressed occupants always brought a crowd. One of the sights to be seen was, in the words of Robert Chambers, 'the long procession of the Sedans, containing Lady Eglintoune and her daughters, devolve from the Close [the Old Stamp Office Close], and proceed to the Assembly Rooms, where there was sure to be a crowd of plebeian admirers congregated, to behold their lofty and graceful figures step from the chairs on the pavement. It could not fail to be a remarkable sight—eight beautiful women, conspicuous for their stature and carriage,

all dressed in the splendid though formal fashions of that period, and inspired at once with dignity of birth and consciousness of beauty !' But a more motley company assembled round the Assembly Rooms at night to witness the departure of the chairs. As the hour approached for the breaking up of the Assembly, the chairs, chairmen, footmen and link-boys formed the centre of a large group of onlookers, and while the chairmen smoked their pipes, and the link-boys lit their torches, the footmen were on the *qui vive* to look after their lords or ladies, and the crowd speculated on the people inside. In a pamphlet written against the Assembly in 1723, entitled 'A Letter from a Gentleman in the Country to his Friend in the City, with an Answer thereto concerning the new Edinburgh Assembly,' it is stated that 'our streets, which used for ordinary to be tolerably quiet after 10 of the clock at night, are crowded with multitudes of vagrant persons ; yea, some people have difficulty to get their children and servants restrained from going abroad at unseasonable hours, to see the dismissing of the Assembly,' and that many of the men loitering round the 'Assembly Close represented themselves to the Constable among other things, as Chairmen to members of the Assembly.' When the Assembly was over, footmen hastened to get their ladies into their chairs, after which the chairmen trotted off with their burdens, preceded by link-bearers, and accompanied by gallants with hat in hand and sword at side. Up many an entry and close the chairs penetrated, the torches lighting the way.

As the Sedans increased in number they naturally took up more space on the street between the Tron and the Guard House, and the shopkeepers in the High Street, especially behind the Guard House, were finding the number located there a hindrance to their businesses, for on 7th August 1723 a petition was presented to the Council by Janet Mitchell, Hugh Campbell, and Edward Hamilton, Burgesses of Edinburgh, setting forth that they 'possess shops foregainst and almost

near to the back of the City Guard,' and that 'for some considerable time bygone there has been chairs kept by some persons on the High Street foregainst the doors of their shops to the great prejudice of the Petitioners in their trade by reason that the passage to their shops is entirely stopped and closed up so that their shops are hid from the view of those that have any inclination for, or are wanting the merchandise they sell,' and praying the Council to discharge all persons from putting chairs foregainst their shops. The Town Council appointed a committee who reported that, having viewed the chairs and chairmen's seats on the street before the petitioners' doors, they were of opinion that all the chairs and chairmen's seats should stand before the Tron Church, excepting upon Fridays from seven to ten in the forenoon, or on any other day that sermon should happen to be in the said church, and no other where, under the penalty of half a crown for each chair or chairman's seat; and this the Council agreed to.

Previous to 1738 it appears that no definite regulations had existed in regard to the hiring of chairs. On 1st March of that year, however, the Town Council considering that there had been no regulations made touching the plying of hackney-chairs within the city and its suburbs, and that the want of them had been attended with inconvenience to the citizens, and those resorting to the city as well as to the owners of hackney-chairs, enacted and ordained regulations which were to come into force on 1st April. The regulations bear evidence of being very carefully prepared and are somewhat lengthy, but the following are the main points:—

1. That the owners were to have a number painted both on the front and back of each chair.

2. That the owners were each to make up a list of their chairs with their numbers, and a list of the chairmen who were in charge of the respective chairs, and to deliver the lists to the City Clerk who was to record the entries in a book to be kept for the purpose. Such

lists were to be sent in within fifteen days of every term of Whitsunday and Martinmas.

3. That no persons were to keep chairs for hire but such as were free of the city unless they had special leave.

4. That no chairmaster was to employ any of the soldiers in the City Guard.

5. That no chairs were to be taken within the pails or on the flagstones.

6. That no insufficient chairs or inefficient chairmen were to be allowed to ply.

7. That all chairs for hire were to be placed on the south side of the High Street, from the lower end of the Guard to Blackfriars' Wynd, and nowhere else on the High Street.

8. That chairmen while attending for a fare were not to refuse to take one when offered, if then unhired, otherwise they were to be committed prisoners to the City Guard, and detained for at least twenty-four hours.

9. That the owners or their servants were not to demand more fare than that established by the table of fares, a printed copy of which chairmen were always to have in readiness to show to persons employing them.

10. That if the owners of chairs and their servants had any difficulty in getting payment of the fares, the constables were to give their assistance.

The table of fares was as follows :—

For every lift within the city or suburbs, 6d.

To hire for a whole day, 4s.

To hire for half a day, 2s. 6d.

To hire for a week, £1.

To hire from the city to any place in the country not exceeding half a mile and there to be free, 1s.

To hire from the city to the country above half a mile, not exceeding a mile, there to be free, 1s. 6d.

To hire to and from the city and suburbs to any place in the country, not exceeding the distance of half a mile, 1s. 6d.

To ditto, above half a mile and not exceeding 1 mile, 2s.

In the Council Minutes of 5th April 1738 the following

appears : ' Considering that by the Act of Council regulating the hackney-chairs, dated the 1st of March last, the power of licensing such as are not burgesses is lodged in the Council, and that it ought naturally to be lodged, in the Dean of Guild and his Council, and therefore the Lord Provost, Magistrates, and Council, with the Deacons of Crafts ordinary and extraordinary, do hereby lodge the power of granting the aforesaid licenses in the Dean of Guild and his Council under these limitations, that the number of these licenses shall not exceed twelve at one time, and that they shall only be given during pleasure or for a year certain at most.'

After the rules had been in force for three years, it appeared that there were still many difficulties in the regulation of the relations between the masters and men and the public. In the words of the masters, ' there were still many disorders.' The use of the chair was growing rapidly, and as more men had constantly to be added to the staffs of the various chairmasters, the responsibilities of the latter were increased. The question of the maintenance of the men in sickness was one which forced itself upon the attention of the masters, and they evidently came to the decision to ask the Council to incorporate masters and men into a society. Accordingly, a petition was presented to the Council in name of David Annandale and John Polson, Chairmasters in Edinburgh, for themselves and the other Chairmasters Burgesses of the Burgh, praying that the authority of the Council might be interposed for incorporating them, and for leave to set up a Poor Box for the relief of their sick and indigent members and for burying their dead. The committee appointed to deal with the matter reported that they were of opinion that the granting of the petition might in some measure correct the disorders complained of, and the Council therefore in their Minute of 8th April 1741 agreed to the proposal, and while confirming the rules of 1st March 1738, appointed the constitution briefly set down below to be strictly observed :—

1. That each chairmaster put into the box 5s. of entry money and afterwards 1s. per quarter.

2. That each chairbearer pay 2s. 6d. of entry money to the box and 6d. per quarter.

3. That no chairbearer be entitled to have any charity out of the box if he has for six months left the employment.

4. That the Society was to elect a Preses, Boxmaster, Clerk and Officer, such election to be approved by the youngest Bailie, and the election to continue till the first Tuesday of March in each year, the Society allowing salaries to their Clerk and officer.

5. That the Clerk was to keep a register of all the chairs, and to whom they belonged, and another register of the chairmasters, and that not only were the chairs to have a number on them, but the bearers were to wear on their breasts a brass or leaden ticket bearing the number of the chair they carried. That on the death or change of bearers no one was to be employed till he was recorded in the register by the Clerk.

6. That the box was to have three keys, one to be kept by the youngest Bailie, one by the Preses, and one by the Boxmaster ; that the Boxmaster was not to be allowed more than 20s. stg. at a time for casualties, and that each sum was to be accounted for before he could get more money out of the box.

7. That all fines for fighting, swearing, and using unbecoming language among the chairmen, and for transgression of the printed table, were to be paid into the Poor Box, excepting such moieties as should be allowed by the magistrates to the dilators. That two of the soberest of the chairmen were to be appointed censors, who were to dilate all offenders, and that such dilators were to be allowed constables' powers in the Society, to the extent of committing any of their own number twenty-four hours to the City Guard.

It is evident that the chairmasters had not the sympathy of all the chairbearers in their proposal, for after the Council had decided as above, a counter-petition was presented to the Council, signed by thirty-nine chairbearers for themselves, 'and in name and on behalf of the other chairbearers in Edinburgh,' narrating that as the Act of Council above referred to seemed very much to affect them, and that as they had not been heard for themselves, they begged the

Council to consider their case and redress their grievances. They pointed out that while the petition by the chairmasters had purported to be in the name of the chairbearers also, they knew nothing of the matter previous to the presentation of the petition. On the merits of the scheme they entirely objected to the principle, that while they were entered into a Society and compelled to pay entry money and quarterly payments, they were not allowed the management of their own funds nor so much as a vote in such management. It was pointed out that according to the constitution they were entirely in the hands of the chairmasters, 'who after they have made us serve, or rather slave to them, and got our money, they may turn us off, and if any of us turn unable to work through sickness or otherwise, may give us no part of what we have contributed, according to their pleasure. . . . We are content to continue as we are, to observe the regulations and to serve the lieges honestly and faithfully, and neither to put the good town nor the chairmasters to the least trouble with respect to their charity, but relieve one another as we and our predecessors have hitherto done.' If the Council insisted on the Society continuing, they claimed the right of a vote, or, alternatively, they were willing to keep a box among themselves for their own poor. It is not very clear what followed immediately on this, as no reference to any discussion of it has been found in the Minutes.

What the many disorders were which the chairmasters referred to in their petition to the Council we do not precisely know, but soon after the formation of the Society the officials had to deal with a case which gives us some insight. In January, 1742, we find a complaint to the 'Honble. Baillies of Edinburgh, Sheriff Depute, and Justices of the Peace within the same,' by 'Allan Cameron and John Hunter, present Preses and Boxmaster of the Society of Chairmasters, for themselves and haill members thereof, with concurrence of Robert Inglis and Robert Gray, conjunct Procurator-Fiscals of Court,' against

John Drummond, one of the chairmasters of the said Society, and John Forsyth, chairbearer. The complaint sets forth, 'That albeit the invading the sepulchres and respositarys of the dead or the possessing oneself of a dead body and the indecent carrying, abusing, or exposing the remains of our fellow creatures thereby to disturb the peace, to disquiet the minds of His Majesty's subjects, are not only heinous indignities to mankind, but high crimes and severely punishable, tending to excite tumults, and such are highly aggravated when committed by a person who has his bread by plying in the streets with chairs and using such chairs to carry a human body; notwithstanding, it is a verity that the defenders have been art and part in the foresaid crimes in so far as the said defenders having betwixt the hours of eleven of the clock at night of the ninth of January current, and one of the clock of the tenth current in the morning, being a Lord's Day, or upon one or other of the nights of said month possesst themselves of a human body; true it is that the said John Drummond with the aid and assistance of the other Defender and others their accomplices, conveyed the same into a chair belonging to the said John Drummond, and which they carried up through the street of the Canongate in through the Netherbow and up the High Street of Edinburgh, and when they passed the Netherbow they protested that nothing was in the said chair having the back part of the chair carried foremost and the curtains drawn, but luckily the corps was discovered at the Port in the said chair, which they had placed with the head undermost and the feet upwards in a most indecent posture, from all which it is evident that the defenders have been either art and part in raising a dead body from the grave, at least unduly possesst themselves of a human body and have carried and abused the same, which has the greatest tendency to disturb the peace by creating mobs and disquieting minds of the lieges, and the complainers are in particular hurt by such practices as that it tends to raise a bad report of their

Society and business as chairmasters, and to affrighten tender constitutions from making use of chairs in time coming. And therefore the Defenders and each to be banished the city and liberties and otherwise exemplarily punished according as their crime deserves, and the said chair ought to be confiscated for the use of the said Society, and the Defenders ought to be decerned in Ten pounds Stg. expenses of this process.' On being examined, John Drummond acknowledged the facts set forth, but declared that he was in liquor at the time, and that he was forced to carry the body. John Forsyth also declared that he was forced. John Drummond presented a petition in which he stated that between eleven and twelve on the night in question, Gibb, a tobacconist, came to him, told him he wanted a chair, and desired him to go along with him. He and Forsyth did so, and when they came to the Canongate-head four or five more gentlemen came along with them. Arriving at Jack's Land, Drummond was told to set down the chair, 'where I found to my great surprise that the business they had for my chair was to carry a dead corps into it.' He then narrates how shocked he was, and how, Gibb by this time 'having thought fit to absent himself,' they threatened to kill him if he would not comply, and that he was therefore forced to carry the body to the house of John Gibb, merchant in Edinburgh, brother of Gibb the tobacconist; that he was heartily sorry for what he had been led into, and requested that proceedings against him should be sisted, and that the two Gibbs should be tried.

Alex. and John Gibb were accordingly examined. Alex. Gibb stated that about eleven o'clock a gentleman came into his shop and, having bought some snuff, desired Gibb to get a chair for him; and Gibb having accordingly done so, Drummond came with his chair, the gentleman and he went away together, and Gibb went back into his shop, and that he knew no more about the matter. John Gibb stated that a gentleman possessed two rooms in the back part of his house to which he

has a back entry, and whether on the night in question or any other night he brought a corpse there he could not say, but acknowledged that on the night in question the gentleman asked some shillings from him to pay a chairman. There were also answers lodged for the Society of Chairmasters and the Procurator-Fiscals, in which the plea of force set up by the Defender is utterly discredited, and they urged that the chair be burned and the Defenders banished. On 26th February judgment was given, finding the defence not proven, and granting warrant to seize the chair, and ordaining Drummond and Forsyth forthwith to be imprisoned, and to remain in prison till 10th March, upon which day between eleven and twelve forenoon the chair was to be burned at the Cross by the common hangman in presence of Drummond and Forsyth, who were to be taken from the Tolbooth and to stand with their hands tied behind their backs while the chair was burning, and thereafter to be carried back to prison, there to remain while they found caution for their good behaviour in future. There seems to have been some further delay, for there is an order dated 24th March appointing the chair to be carried to the High Street, between the Cross and the City Guard, on 26th March between ten and twelve forenoon, to be burned by the hands of the common hangman, and ordaining Drummond and Forsyth to be banished for six months, and if seen within the city or liberties to be imprisoned for three years.

Three years after the above incident, Prince Charles Edward with his Highland troops occupied the city, and at the great ball which took place at Holyrood it must have been a memorable sight to witness the train of Sedans bearing the *élite* of the Jacobite ladies down the Canongate to the gay scene, amongst whom there can be little doubt was the Countess of Eglinton, for Prince Charles was a frequent visitor at her house in the Canongate. Whether many of the Highland chairmen gave up their Sedan work and entered the service of the Prince we do not know, but we do know that one did so.

One of the chairmen at that time was Ned Burke, a native of Badenoch. When the '45 broke out, he left Edinburgh and entered into the service of Mr. Alexander Macleod of Muiravonside who acted as aide-de-camp to the Prince. In this way Burke was brought into close touch with the Prince and for some time acted as his guide. After the battle of Culloden, Burke retired to the island of Harris till the passing of the Indemnity Act in 1747, when he returned to Edinburgh, probably with fuller pockets than when he left, for although he took up his former work, he acquired a chair for himself, and thus became a chairmaster.

The Highland chairmen were ever mindful to place the weight of their interest and sometimes of their arms on the Jacobite side in the disputes which occasionally took place in Edinburgh, as, for instance, on the occasion of the riot in the theatre in 1749, related by Arnot in his *History of Edinburgh*. It appears that some officers in the theatre on the evening of the anniversary of the battle of Culloden called to the band to play *Culloden*, while the audience, regarding the request as 'ungenerously and insolently upbraiding the country with her misfortunes,' demanded in opposition, *You're welcome, Charles Stuart*, which the band complied with. The officers rushed to attack the band but were assailed with apples, snuff-boxes and other missiles by the occupants of the galleries, whereupon the officers made for the galleries, only to find that the doors leading from the passages to them had been fastened. Meantime the chairmen waiting outside hearing the din and learning the nature of the quarrel, entered and with their poles attacked the officers in the rear, who being able neither to advance nor retire were obliged to capitulate.

In the Minutes of 25th January 1749, the Town Council 'considering the many hurts and inconveniences that have happened to the inhabitants and others by the chairmen carrying or resting their chairs without lights under cloud of night' enacted that 'from and after the 15th day of

February next to come, every chairman carrying or resting his chair under cloud of night in the streets, courts, closes, or entries of this city or liberty thereof and not having a light fixed upon one of the forepoles of the chair shall be liable in the penalty of 1s. stg.' and appointed the order to be published by tuck of drum.

Although the shopkeepers of the High Street located near the Sedan stance had submitted their grievances to the Council in their petition of 7th August 1723, and the Council had made certain regulations in regard to the matter, the question came up again in 1747, when a petition of 'heritors and residents on the south side of the street between the Cross and the Guard,' dated 8th April of that year, was presented to the Council. In this petition it was pointed out that although there were existing penalties for placing Sedans before their houses and properties, yet 'by the late disturbance of the times' the proprietors of chairs 'in hopes of impunity did adventure in a very audacious manner to trespass and violate the Act of Council.' It was further stated that they had been informed that the chairmasters had even presumed to apply to the Council for a reversal of the Act and that as no small part of the taxes and public burdens fell on the petitioners they had no doubt that the Council would not lay them in the balance 'with a parcel of upstarts who as they live upon the luxury of the public ought to be content to earn their living in whatever place of the street' should be allotted to them. The petition, which was signed by eighteen individuals, was remitted to the magistrates and convener.

In leaving the first half of the eighteenth century we enter on the period in which the use of the Sedan reached its zenith in the city. What the cab was to the nineteenth century and the motor-taxi to the twentieth the Sedan was to the eighteenth. It may be interesting at this point to see what progress the use of the chair had made in Edinburgh from the time when it was first placed on the streets in

1687. Although a careful search has been made in the City Archives, no trace has been found of any book containing the records of the numbers of Sedans in various years. It is not possible, therefore, to give exact data as to the number of chairmasters, chairmen, and Sedans up to the middle of the century, but a separate list for 1752 was discovered. In this list appears a record of seventeen chairmasters and one chairmistress having chairmen in their service, their names being James M'Glashan, Peter Matheson, Malcolm M'Dermit, John M'Dermit, William Shaw, John Buchanan, Henry Shaw, Daniel M'Vicar, William Stewart, John Morgan, Fettes, James Stewart, Hugh Stewart, Mrs. Hunter, John Drummond, Deacon Good, Peter Cowie, and John Robertson. James M'Glashan had eighteen men, Peter Matheson sixteen; the other masters following in varying proportion, the lowest in the list having only two men. Altogether about one hundred and fifty men, including chairmasters and bearers were engaged in the Sedan business at that date. The above list does not, of course, give the number of hackney-chairs in the hands of the chairmasters, but Maitland, in his *History of Edinburgh* published in 1753, states that the number had considerably increased about that time, and that there were then ninety. There is no great disparity between the figure given by Maitland and the figures brought out by the above. Chairmasters no doubt had in some cases an extra chair, as of course sometimes a chair needed repair and had to be replaced by another, or at a busy season an extra hand had to be taken on. It is therefore possible to form some idea of the rate of progress the Sedan had made for the sixty-six years. It is well to note this now, so as to be the better able to appreciate the increased use of the chair in the following half century.

The first reference to a badge to be worn by the chairmen is after the formation of the society in 1741, and this badge was really only a brass or lead ticket. A much more elaborate badge came into use later, and that dated 1751 represents two

chairmen carrying a chair and bears the legend 'Honesty is best policy.' At the top is the representation of a crown and below that of a thistle. One of the badges here referred to is preserved in the Municipal Museum, having been presented to the city by Lord Carmichael of Skirling. An illustration of it is given.

The question of the danger of the Sedan on the streets at night was evidently one which came up periodically, for in the Council Minutes of 13th February 1760 it is recorded that 'for preventing the many hurts and inconveniences that happen to the inhabitants by the chairmen carrying or resting their chairs without lights under cloud of night in the streets, courts, closes, or entries of the city particularly on the plain-stones,' the Council 'do therefore strictly prohibit and discharge all and every chairman from carrying or resting a chair upon any part of the plain-stones of this city or resting his chair under cloud of night in the streets, courts, closes, or entries of the city and liberties thereof and not having a light fixed upon one of the forepoles of the chair.' The order was appointed to be published by tuck of drum.

In February 1764, a Memorial for the Society was presented to the Council, asking for certain alterations in the Regulations and table of fares, and in the Minutes of 12th February of that year enacting certain modifications, reference is made to 'the houses new built at the back or south of the Meadow.'

The Society had been in existence for twenty-three years, when in the same year (1764) a petition was presented by



Chairman's Badge.

the chairmasters on behalf of themselves and the chairbearers setting forth that some of the regulations needed to be amended and some further ones to be made. It was therein pointed out that the first Tuesday in March was an inconvenient date for the election of office-bearers as it 'frequently proved to be the day of the Honb^{le}. Company of Hunters their Ball,' when of course the chairmasters were extremely busy, and they therefore requested that the date be altered to the 2nd of June. It was also explained that as the chairmen were frequently obliged 'to ply on the street at all seasons of the night and in the most disagreeable weather,' it 'subjected them to many calamities and disorders to which people of other employments were not liable,' and that from experience it was found that the small sums of entry money and of quarterly payments were not adequate to the expense of maintaining their sick and burying their dead. The points thus brought before the Council were as usual remitted to a Committee, who recommended the regulations briefly stated below, to which the Council agreed :—

That the office-bearers were in time coming to be chosen on the second Tuesday of June yearly, and that they were to attend before the Bailie in waiting at the Council Chambers and to have the oath *de fidei* administered to them ; that the entry money for chairmasters was to be £2, for chairmen 10s., and for an unfree bearer, 2s. 6d., besides the Clerk's and Officer's fees ; that each chairmaster and chairman was to put 1s. quarterly into the box ; that each sick member was to receive 3s. weekly, and on the death of a member £2 was to be paid to the widow for his burial ; that no chairmasters were to sub-sett their chairs to unfreemen ; that all chairbearers were to find caution not to be concerned directly or indirectly in any mob, tumult, or insurrection ; that no bearer was to leave his master's service from the 12th of November to the 12th of March, during which time he was to obey every lawful order given him by his master upon receiving the ordinary accustomed fare ; that all persons plying on the streets under the name of Oddmen, who had no settled master were discharged ; that none of the soldiers of the City Guard were to be allowed

to ply as chairbearers when upon duty, or with the Town's livery upon them, nor to go in quest of beggars with the chairmen's livery coats on them ; that all regulations in the Act of Council of date 8th April 1741 were to remain in full force excepted in so far as altered or amended.

In August 1768 the Society resolved that no masters should be admitted without paying £5 of entry money in place of £2 as formerly and no bearer without paying £1 in place of 10s. as formerly ; that no bearer should vote at the election of Preses, Boxmaster, Constable, Committee, Clerk, or other Office-bearers, the privilege being reserved only for the masters who were burgesses ; but as the Society did not think it proper or safe to put the resolution into execution without the sanction of the Council, they presented a petition which was laid before the Council at their meeting on 7th June 1769. The petitioners stated that at elections there were great irregularities and disorders committed by the bearers being allowed to vote, as they were both numerous and illiterate, and did not know who were proper persons to be made choice of for managing the affairs of the Society, and that as no servant was allowed to sit or vote in any other society or corporation along with their masters, they hoped the Council would discharge their servants from sitting and voting with them. As to raising the entry money, it was found that the amount was still inadequate owing to the number of sick and aged persons in the Society ; that the widows had hitherto had nothing except 40s. to pay the expense of their husbands' funerals, but that in other societies or corporations, the widows had a certain weekly or annual allowance if unable to support themselves, and that if the Council approved they proposed to give a weekly allowance to all widows while unable to support themselves. They further pointed out that the Society of Cadies had raised their entry money to £10 although not long before it was not half that sum. The petition was signed by Wm. Leys, B. Master. The Council having con-

sidered the matter approved of what had been done, saving always to the bearers their right of being chosen in the Annual Committee as usual. But this was followed immediately afterwards by a petition by the chairbearers in which, after referring 'to the happy effects' of the Rules of 1741 it was stated that the whole Society (eight chairmasters excepted) were averse to any alterations being made in the plan they had so long and so happily regulated themselves by, that innovations were dangerous at all times, and that it was hoped that the Council 'would not countenance the attempts of a few chairmasters burgesses to engross the whole power of managing the whole funds of the Society to the support of which they did not contribute nine-tenths of their revenue.' They further stated that the Society consisted at that time of '20 Chairmasters having Burgess Tickets, 8 Chairmasters free in the Box and near to 300 Chairbearers, all of whom, joined with 20 of the Chairmasters, were averse to any innovations in their present rules and regulations.' The petition is a long one and refers in sarcastic terms to the 'presumptions' of the chairmasters, and to their reference to the chairbearers as illiterate. At the meeting of Council on 28th June 1769 the prayer of the petition was refused, but the Council agreed to take out the words 'who were Burgesses' from the clause giving power to masters alone to vote for office-bearers.

It will be noted from the above that in sixteen years the number of chairmasters had slightly increased, but that the number of chairbearers had nearly doubled.

While these matters were being discussed, both the new bridge, leading to the north side of the valley, and the new theatre on that side were in course of erection, and were expected shortly to be completed, in prospect of which the chairmasters and chairmen were looking forward to an extension of their routes, and an additional list of fares. The theatre was to be ready by December 1769, and while all were

looking forward to the new highway along which Sedans were to proceed to the theatre, a large portion of the south end of the bridge collapsed in August of that year. What the fashionable people thought of their new theatre on the opposite side of the valley without the connecting bridge may be imagined. As a result of the collapse all who required to go to the north side had to make their way down the steep slope of Halkerston's Wynd, and ascend the slope on the other side. In a frosty night this was a difficult undertaking for ordinary pedestrians, but a much more difficult one for the chairbearers to take their Sedans by this route, and on such nights it was the practice to lay a thick coating of ashes all the way down the Wynd for the safety of the chairmen and the occupants of Sedans.

In the Council Minutes of 3rd October 1770, we find a remit to the Lord Provost, Magistrates, and Convener to consider the regulations for Hackney Coaches, Chairs, and Running Stationers. It appears that the remit in regard to the chairmen was rendered necessary owing to a petition by the Society praying for an increase of their hires on account of the advanced price of all the necessaries of life, house rents, etc. After hearing the report of the Committee on 12th December, the Council passed a revised scale of fares which was published in 1771 and appears in detail in the *Scots Almanack* of 1772. As this scale of fares was more or less that which was current during the latter decades of the eighteenth century when the Sedan trade was at its height, it is given here in full as follows :—

Every lift within the ancient royalty including the Canon-			
gate as far as the British Linen-Office and street of			
Potterrow	0	0	6
Ditto to or from St. Andrew's Square, Theatre, and			
adjacent buildings in the extended royalty, until the			
bridge is finished	0	0	9
Ditto to or from the Castle, Caltonhill, Abbey, Pleasance,			

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Nicolson's Street, Cross-Causeway, Bristo, Lauriston, Twopenny-Custom, Wind-Mill, Ross Park, or the like distance	0	0	9
Ditto to or from the east end of the Meadow, West Kirk, or the like distance	0	1	0
Ditto to or from Drummond-Lodge, Gayfield, Abbeyhill, Sciennes, or the like distance	0	1	3
Ditto to or from Quarryholes, south side of the Meadow, Wright's Houses, Fountainbridge, Castlebarns, Drum- sheugh, or the like distance	0	1	6
From St. Andrew's Square, Theatre, and adjacent buildings in the extended royalty to the places following, viz. :—			
Canongate, as far as the British Linen-Office	0	0	9
Canongate, below the British Linen-Office, and not further than Queensberry's house	0	1	0
Abbey, Pleasance, Nicolson's Street, Bristo, Potter- row, or like distance	0	1	3
To Ross Park, Abbeyhill, Twopenny-Custom, Drum- sheugh, Hamilton's Folly, Lauriston, or like distance	0	1	6
To Causewayside, Quarryhole, south side of the Meadow, Wright's Houses, Fountainbridge, Castlebarns, or like distance	0	2	0
And the same rates from any of these places or distances to St. Andrew's Square, Theatre, and adjacent buildings in the extended royalty foresaid.			
Each lift from Edinburgh to Leith in the day time	0	2	0
Ditto under night	0	2	6
Hire for a forenoon, within the city, the extended royalty aforesaid, Canongate, and other suburbs	0	2	0
In case of going further south than the streets of Potterrow and Bristo	0	2	6
Hire for an afternoon	0	2	6
But if carried home after supper	0	3	0
Hire for a whole day	0	4	6
Hire for a week	1	1	0
Each hour's attendance	0	0	6

As the magistrates have made considerable addition to the fares,

they are resolved to enforce punctual obedience to the above regulations.

Nota.—Any person employing a chair for a tour of visits within the city or suburbs, shall either pay 6d. each lift, or the half day's hire, in the option of the employer. And any person sending for a chair to the suburbs, there to be employed, shall pay as above stated.

The North Bridge was opened for traffic in 1772, and in April 1775 a petition was presented by the Society, making reference to the temporary regulations regarding the fares to the north side of the city, and urging that as the bridge had been completed it was necessary that there should be a definite tariff. They suggested the following :—

1. Every lift from the Theatre, Princes Street, St. Andrew Square, and adjacent buildings to any place in the ancient royalty, north side of the Canongate below the Luckenbooths, 6d.

2. Every lift from the said places to the south side of the Canon-gate within the Ports, Lawnmarket and Castlehill, 9d.

3. Every lift from St. Andrew Square, Thistle Court and Lord Chief Baron's and places adjacent to the Grass mercat, as far as the West Port, 1s.

After the usual remit to a committee the Council approved of the Society's proposals.

What the chairmen and the occupants thought of their first experiences of the passage across the bridge in stormy nights during the winter of 1775 we do not know, but the journey must often have been a precarious one when the wind rushing along the valley burst through the open balustrades on both sides. Indeed, just in that very year, Captain Topham writes: 'It is a very common accident to hear of sedan-chairs being overturned. It seems almost a necessary compliment here to wait upon a lady the next morning, to hope she got safe home. In many visits which I have made since I came here, two people have been obliged to go on each side of the chair to keep it even, while other two have carried it; and sometimes even this precaution has not been sufficient.'

Many of the residents in George Square possessed private chairs, which were kept either in the outer hall with the poles put up in one of the corners, or in the front area covered up from the weather. When the Assembly Rooms in Buccleuch Place were built, the chairman and his chair were a familiar sight in this locality, the demand for chairs being such that one of the principal depôts in the city was that established in Middleton's Entry off Bristo Street. Some of the chairmen resided above the entry or in Potterrow, and a chair could usually be had at a moment's notice.

Writing in 1779 Arnot gives the number of hackney chairs in the city as one hundred and eighty-eight, and as the Society stated the number of chairmen in 1769 to be nearly three hundred, there is evidence of a further increase in the business during the ten years. Arnot writes: 'The street-chairs are to be had on a minute's warning, at all hours of the night or day. The fare is very reasonable; the chairmen are all Highlanders; and they carry the chairs so much better than the Irish chairmen of London, that an inhabitant of Edinburgh who visits the metropolis, can hardly repress his laughter at seeing the awkward hobble of a street-chair in the city of London.' He states the number of the private ones as about fifty. This is the first record there is of the number of private chairs, and from the fact that this period was the greatest in the history of the Sedan in Edinburgh, the number was probably afterwards not much if at all exceeded. Indeed it may be gathered from the fact of there being such an excellent supply of hackney-chairs that a comparatively small proportion of the people kept their own chairs. Private chairs were sometimes kept in specially built outhouses; specimens of such may be seen in Tweeddale Court and James Court. It is interesting to note that at the end of the eighteenth century there were about two hundred chairmen in the city of Bath.

At this time one of the depôts for Sedans was in the Horse Wynd in the Canongate, and no doubt it had been established

in order to serve Holyrood Palace. Mr. Alexander Profit, an old Canongate resident, now deceased, who gave the writer some of his recollections of the Sedan in his boyhood, informed him that his grandmother, who resided in her youth in an old house which overlooked the depôt, told him of it, and recalled the fact that from her window she occasionally had some badinage with the chairbearers who were waiting for hire.

The regulations and table of fares were again revised on 23rd February 1791, and in the Minutes of Council of that date they were 'appointed to be strictly observed and to be printed and distributed for the information of all concerned.' A copy of the printed regulations of this date, which is still preserved, bears the title of *Regulations for Hackney Chairs within the City of Edinburgh and Liberties*, and is a booklet of fifteen pages. Reference is therein made to the Assembly Rooms in George Street and to the Earthen Mound.

On 14th May 1794 a petition was presented to the Council by Robert Stewart, Preses of the Society on behalf of himself and the other members, in which it was stated that many of them were burgesses and most of them had served their king and country in the wars, and in addition that all were held to be a useful and industrious class of inhabitants who gave voluntary assistance in case of fire and in other emergencies; that part of their work was to flit furniture at term time and to carry articles of a brittle nature from one part of the city to another or to Leith and the adjacent country by means of a machine distinguished by the name of a 'horse,' carried by two men on the poles that were daily in use in carrying Sedan chairs; that the Society of Porters who stood incorporated for purposes of carrying burdens fastened to their backs by ropes and creels had greatly harassed the petitioners by prosecutions for payments of different exactions, particularly 20d. at each term of Whitsunday on the pretence that they encroached on their prerogative and business by conveying furniture; that they had even carried the matter so far as to demand payment

of sums from the complainers if they were at any time found serving the public or strangers by carrying a gentleman's 'cloak bag,' leading home his horse or otherwise. Further that, not satisfied even with these demands they had preferred an application to the Council to increase the annual imposition to 2s. 6d. ; that by the Act of 29th April 1790, the chairmen burgesses of the city stood exempt from payment of any sum to the porters on account of carrying furniture, which exemption it was claimed should be extended to those who had served His Majesty by sea or land. It was also pointed out that by the Act of Erection of the porters, the business to which they were appointed and of which they were understood to be capable was to carry burdens with ropes and creels or in their hands, and to this kind of work the petitioners clearly allowed that the porters should have a preference. But it was claimed that the removal of furniture and other articles on a 'horse' was altogether out of the line of the porter, who having no experience in chairs was not used to the machine in question, whereas it was directly in the line of the chairmen and thus of general utility to the public and very necessary in the removal of bulky and brittle articles. It was therefore craved that the whole Society of Chairmen should still be indulged in the use of the machine for the purposes mentioned, and the following arrangement was suggested :—

1. That in all time coming chairmen burgesses or who have served in the wars, shall as usual be exempted from any pains or penalties to the Society of Porters, on account of the flitting of furniture or other carriages.

2. That all chairmen shall in like manner be allowed to flit and remove furniture and others provided it be done by the foresaid machine.

3. That those chairmen not burgesses or formerly in His Majesty's service who shall employ themselves in flitting furniture otherwise than by the machine, shall pay into the treasurer of the Society of Porters the sum of 1s. 8d. annually for such indulgence.

As has already been indicated, it was in the second half of the eighteenth century that the reign of the Sedan reached its height in Edinburgh, and it may be well here to give some glimpses of its associations with the social life of the city. This half century, as is well known, was a period of expansion in the life of Edinburgh, and this was a considerable factor in the progress of the Sedan.

So great was the place of the Sedan in the life of the people, that it was considered *chic* to go out in a chair, especially to entertainments, shopping, rounds of visits, etc. An echo of the doings of the gay young men of the period may be heard in the following couplet from a lampoon styled the *Ridotto* of Holyrood, written by Lady Bruce and others:

‘And there was Beau Seton made Lady Di’ stare
When he shines at the cross, must go there in a chair.’

We may gather that Robert Burns also occasionally used a chair, for when in 1788 Clarinda wrote inviting him to tea she says: ‘I hope you’ll come afoot, even though you take a chair home. A chair is so uncommon a thing in our neighbourhood it is apt to raise speculation, but they are all asleep by ten.’

The Sedan could be had by night or day, and sleepers waking from their slumbers, often heard the heavy tread of the chairmen and the lighter step of the torch-bearer during the dark hours of night and even when the day was breaking. Burns himself refers to the link-bearers:

‘Whose flambeaux flash against the morning skies
And gild our chamber ceilings as they pass.’

It was a consideration, in taking a house, whether a Sedan could have proper access to the door, and Wilson in his *Memorials of Edinburgh*, states that although the Society of Antiquaries had ample accommodation in their hall and museum at the foot of Gosford’s Close, they removed into

other premises, owing to the fact that a Sedan-chair could not reach the entrance into the hall.

But it was the ladies who were the most extensive patrons of the Sedan, and it may be mentioned here that the Sedan was often lighted by a wax candle enclosed in a small lantern, and that in a cold night when a lady took a chair to a private house she frequently had a hot pan put in the Sedan, and that the pan was refilled at the friend's house for the lady's return journey. As is well known this was a period when the dress was of a most elaborate description, and the wonder is that ladies with wide hoops and lofty headpieces were able to get inside the narrow limits of a chair. With such elaborate dress it was no wonder that articles were frequently lost, and that sometimes parts of the headdress fell off in the Sedan. For instance, in the *Courant* of 25th January 1772, we find the following advertisement:—'Lost last night either in the Concert Room or in a Hackney Chair, a Diamond Pong for the Hair. If found, apply to Patrick Robertson, Jeweler, who will give Two guineas reward.'

At the close of a theatre performance or that of a ball, it was no easy matter sometimes to find a chair, and disputes occasionally arose. There was, for instance, the incident connected with Captain Macrae, the full story of which, and its unfortunate sequel, is told in Chambers's *Traditions of Edinburgh*. The captain, having secured a chair at the theatre for a lady, had an altercation with a tipsy footman, who claimed the same chair as already engaged for his mistress.

Chairmasters had frequently trouble in looking after their men. It was not so difficult to arrange the outgoing journey to a ball or rout, but during the interval between the rush of taking people to the evening amusements and the time for the return, chairmen not uncommonly felt time hanging heavy on their hands and the night cold, and as a result of these conditions the chairmaster sometimes found that a man had not returned to his post. In such a case an oddman had to

be called in. These oddmen were not members of the Society, but filled up gaps to the various chairmasters when for one reason or another one of the regular men was awanting. When a vacancy occurred a cry of 'Oddman!' brought one of these men forward. They were not favoured by the Council and it has been seen how, in regulations already quoted, they were 'discharged.'

Of those who had their private chairs during this period, Jean Elliot, the Scottish songstress, was one. At that time she resided in Brown Square. Charles Kirkpatrick Sharpe writes:— 'When Miss Jeanie's old Sedan appeared at my aunt Campbell's door in George Square of a summer's evening at tea-time, we all became sad, knowing that a thunderstorm would ensue. My aunt and Jeanie retired after tea into the back drawing-room, and after a long prate, off jolts Jeanie in her Sedan, and my aunt falls foul of the whole company: her excellent daughters, a female cousin who resided with her, and your humble servant.'¹ Lord Cockburn in the *Memorials of His Time*, gives a picture of Lady Don, who had been one of the hooped beauties in the minuets, and a lady of ceremony at the assemblies. In his own words, 'She was about the last person (so far as I recollect) in Edinburgh who kept a private Sedan chair. Hers stood in the lobby, and was as handsome and comfortable as silk, velvet, and gilding could make it. And, when she wished to use it, two well-known respectable chairmen, enveloped in her livery cloaks, were the envy of their brethren. She and Mrs. Rothead both sat in the Tron Church; and well do I remember how I used to form one of the cluster that always took its station to see these beautiful relics emerge from the coach and the chair.' It was into this square also that the traitorous Murray of Broughton, a muffled figure, was hurried in a Sedan on his visits by night to Sir Walter Scott's father and from which a little later he was hurried out again.

¹ Wilson's *Reminiscences of Old Edinburgh*, vol. i. p. 294.

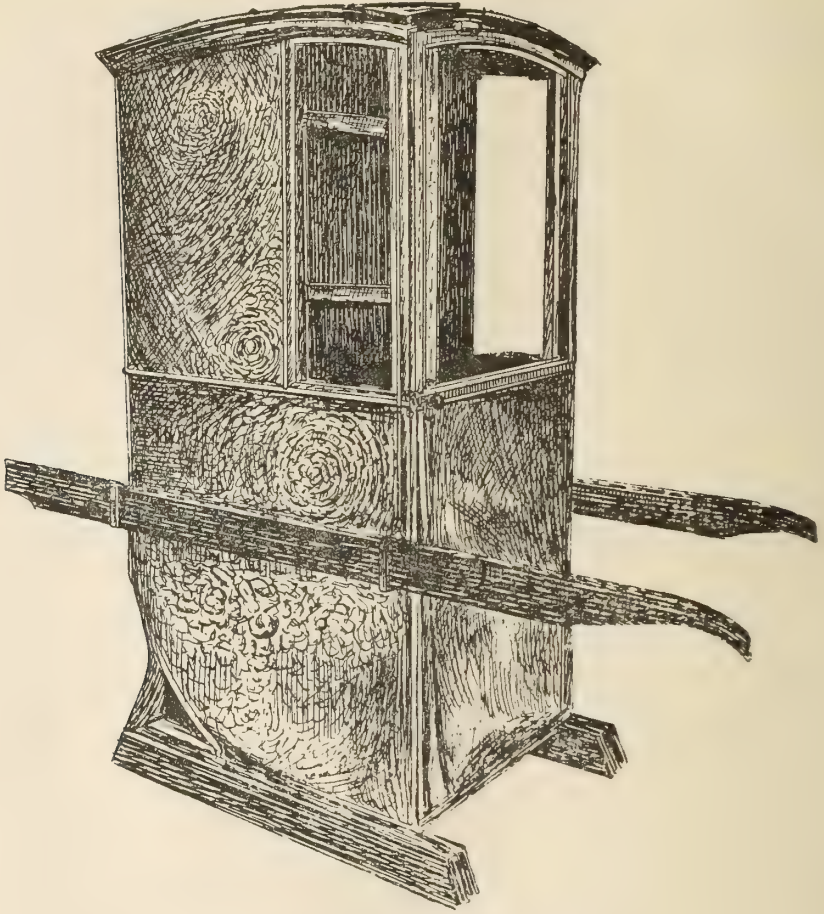
As might be expected, the Sedan was used to some extent by members of the professions. It was, of course, much in use by litigants and others attending the Parliament House, and a number of the judges themselves arrived and departed in chairs. In Kay's *Portraits*¹ there is a good picture of a Sedan and chairmen, as they appeared in Parliament Square at the end of the eighteenth century. The two men were both old frequenters of the square, the one seated on the pole of the Sedan presenting his snuff-mull being Donald Kennedy, a native of Perthshire, and the other Donald Black, a native of Ross-shire. While referring to the precincts of the Law Courts, it may opportunely be mentioned that Lord Rockeville, one of the Lords of Session, while walking down the High Street in the spring of 1792, slipped on the icy footpath and broke his arm. His arm was set by a surgeon in the shop of Provost Elder opposite the Tron Church and he was put in a Sedan to be taken home to his house at 64 Queen Street, but unfortunately one of the chairmen also fell on the slippery road, with the result that the Sedan was overturned and the splinter on the injured arm displaced. His Lordship was taken home, but fever ensued and he died on 13th March. Lord Monboddo never entered a chair, but when it rained he hired one to take home his wig. Perhaps one of the last judges who used a chair was Lord Glenlee. It had been his usual practice to walk to the Court in powdered wig with his hat in his hand, by way of Brown Square, Crombie's Close and Cowgate, and up the back stairs into Parliament Square, but in 1838, as he was then nearly eighty years of age, he had to abandon this custom and take a Sedan by way of George IV. Bridge.

When the old Royal Infirmary was built in the late thirties and early forties of the eighteenth century, the staircase was specially constructed with a view to chairs being conveniently carried up, and a number of the older inhabitants in

¹ *The Two Chairmen: or, The Social Pinch*, vol. ii. p. 367, 1837 edition.

Edinburgh have recollections of seeing patients conveyed from their houses to the Infirmary by means of chairs. Not only was the Sedan the first hospital conveyance in Edinburgh, but it was the first Red Cross Ambulance, for when, for instance, the riots took place in Edinburgh in 1784, some of the wounded had to be carried off in Sedans. The special chair kept by the Infirmary authorities has been described, by one who remembered it, as differing somewhat from the ordinary street chair, inasmuch as the covering was not fixed to the structure, but was more of the nature of a removable glazed waterproof covering. Two chairmen, old Waterloo veterans, by name Donald Mackenzie and Alexander Mason, who had a stance at the north-west corner of Drummond Street and South Bridge Street, were the men who were usually engaged to carry the Infirmary chair, which was kept in a small enclosed shed, just inside the entrance gate to Ward 10. When the Public School in Infirmary Street was built, the shed was taken down, but the marks on the wall still show where it stood. The ordinary Sedan was also used by some of the medical practitioners in connection with their practice, and also by nurses who had to go out at night. The chair preserved in the museum of the Society of Antiquaries in Queen Street belonged to Dr. James Hamilton, at one time Professor of Midwifery in the University, and was used by him especially in connection with his night practice. Indeed he has left it on record that a very difficult operation at the Infirmary, which began between nine and ten in the morning, required 'such an exertion of force that he was literally carried home in a Sedan-chair, drenched and exhausted, at half-past two in the afternoon.' Dr. Hamilton's chair came into the possession of Sir James Y. Simpson, Bart., who presented it to the Society of Antiquaries. Externally it is handsomely ornamented with metal work and has a coat of arms on the back. It may here be mentioned that until two or three years ago this was the only chair in Edin-

burgh available for inspection by the public, but recently a chair which many years ago had been found in an attic of the house occupied by Lord Milton in the Canongate, was placed in Lady Stair's house.



Sedan Chair from Lord Milton's House.

For many years it was the custom for the Lord High Commissioner at the time of the General Assembly of the

Church of Scotland, to proceed from his hotel to the levee in a Sedan. In a view of the High Street from the Luckenbooths, by David Allan in 1793, in the City Museum, what is probably the Lord High Commissioner's chair is seen emerging from Fortune's tavern, the very building from which in the early eighteenth century the Countess of Eglinton and her daughters frequently left in their Sedans. How long this custom was in vogue before the date of the sketch we do not know, but from that date it continued for over thirty years, although not during all that time from Fortune's tavern. In his *Reminiscences of Yarrow* the late Rev. James Russell, D.D., states that his father was chaplain to the Lord High Commissioner in 1805, and continued his services under successive Commissioners for thirty-seven years. He writes: 'In my father's earlier official days, the Commissioner and the Purse-Bearer moved about in two State Sedan-chairs, each carried by two footmen in livery, and followed by a troupe of idle boys—somewhat *infra dig.* In this way they used to come across the Bridge from their hotel in Princes Street to the Merchant Hall in Hunter Square where the levees were held every morning.' Lockhart also writing about 1819 says: 'In the meanwhile his Grace had arrived at the Royal Hotel . . . So when the hour of meeting approaches, his Grace is smuggled over the Bridge in a Sedan Chair and stuck up in the Merchant Hall to receive the company that go to swell his procession.'

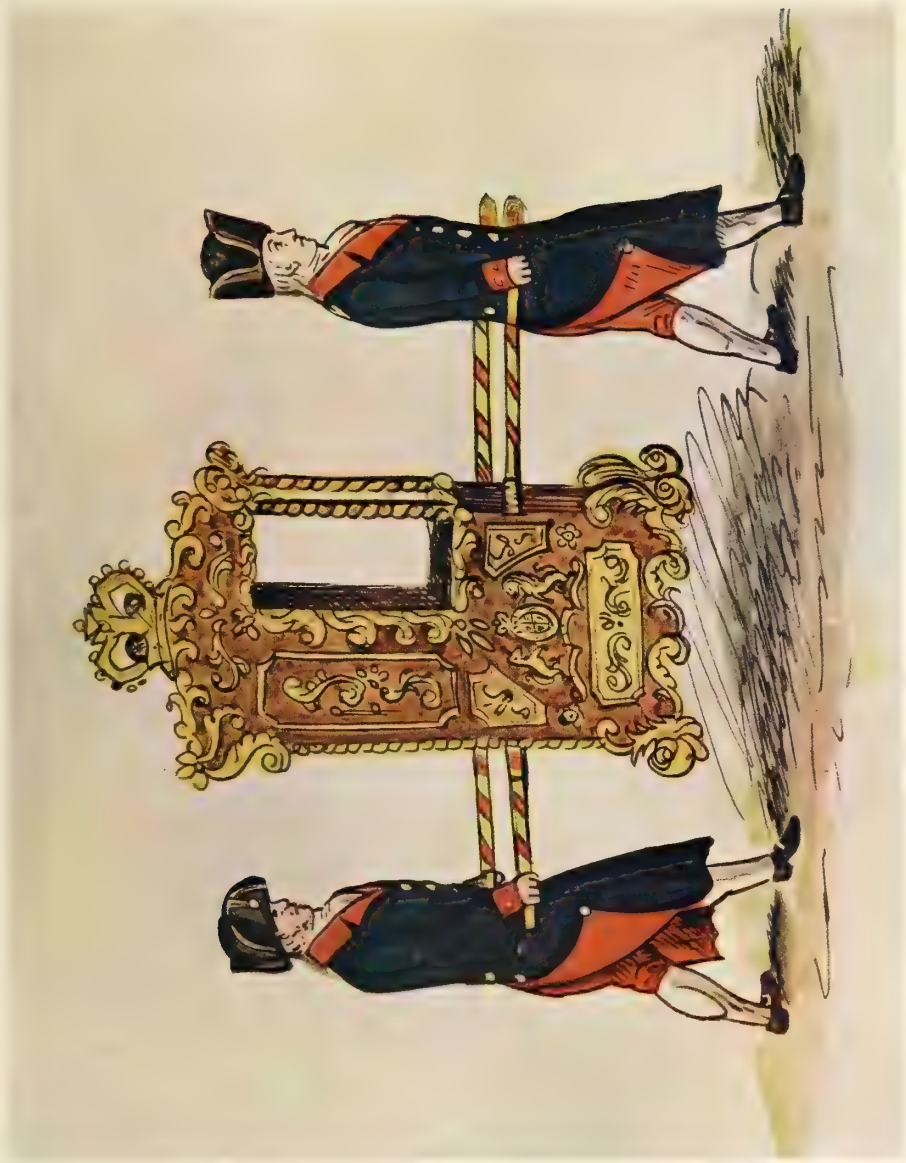
The books containing the Accounts of Expenses of the Lord High Commissioner from 1819 to 1871 were bequeathed to the Church of Scotland by the late W. Hamilton Ramsay who was Purse-Bearer for many years, and some interesting facts have been gleaned from them. Among the expenses for the year 1817 are, Commissioner's Chairmen, £6, 6s. ; Purse-bearer's Chairmen, £6, 6s. ; Liveries for Chairmen, £29, 15s. In the list of attendants, the names of the chairmen are given :—Chairmen to Commissioner—Donald M'Glashan and

Assistant. Chairmen to the Pursebearer—Donald Mackenzie and Assistant. Similar entries occur in 1818, and onwards till 1825, except that the names of the bearers are not always the same and that the item of liveries does not occur again. The first time there is a charge (£32, 2s. 6d.) for a coach for the Commissioner is in 1825, and the same entry appears year after year subsequent to that date. Thus it was at that date that the old order passed away and the new came in.

The illustration of the Lord High Commissioner's chair is a reproduction of a coloured drawing in an album in the City Museum.

It may be of interest here to note that the Donald M'Glashan above referred to was one of the principal chairmasters of his time. In a footnote in Kay's *Portraits* it is stated that he 'had at one time about 12 men employed in carrying Sedan-chairs, parcels, and letters and in attending strangers in their perambulations through the city.' M'Glashan's burial ground may be seen in Greyfriars Churchyard with the following inscription on the tombstone:—Erected by Donald M'Glashan (1825), Chairmaster in Edinburgh, as a place of interment for the use of his heirs in succession.

In leaving the eighteenth century, that in which the Sedan reached its high-water mark, it is perhaps desirable to make some reference to the life of the chairmen. No one will be able to read what has already herein been written without recognising that their life was not only a hard but a poorly paid one. Although there was as a rule at each stance a bench for the men to rest on, there is no hint in the various regulations that they had any shelter such as is now seen at modern cab stances. In stormy nights they no doubt found shelter in the neighbouring closes, perhaps sometimes in their own chairs, and sought not only shelter but warmth and stimulus in neighbouring taverns. They frequently had a good deal of leisure either when not busy or after the concerts and routs had assembled, and it is to be feared that even when



THE LORD HIGH COMMISSIONER'S CHAIR
from a drawing in the City Museum, Edinburgh.

the conditions were not wet and cold the taverns had rather many visits from some of the men. In the eighteenth century Ferguson, the poet, makes reference to these idle hours as follows :—

‘Near him the lazy chairman stands,
And wats na how to turn his hands.’

Besides their real hardships the chairmen had, like other mortals, their minor worries, and not the least troublesome of them was the attention which the youth of the city sometimes bestowed on them by making them the butt of their frolics. One of the devices which the ingenuity of the eighteenth century or early nineteenth century Edinburgh boy conceived was that of fastening a pin to the end of a stick whereby to ‘tickle’ the legs of the chairmen when they carried a chair.

The men came principally from the districts of Rannoch, Atholl, Badenoch, and Lochaber, and were spoken of by their friends as being ‘out the way of Edinburgh’—‘Mach rathad Dhuin Eudainn.’ To the chairman the Sedan had no romance, for there were too many hardships in his life to give it that colour. Consequently, it is very little referred to in Gaelic song, but the fragment of an old song, which lingered in the memory of the late Mr. Alexander Gow, a native of Perthshire, and was translated by him into English for this article, was understood to be an invitation from a chair-bearer to his sweetheart to share his home in Edinburgh, and her reply thereto :—

‘Will you leave the poor Highlands, and gaily with me
Will you come o’er the ferry, my maiden?
For the windows are glazed and the candlesticks golden
Away in the town of Dunedin.’

‘Ah, dull are your closes compared to my home,
Where the air with the pine-smoke is laden,
And it’s pleasanter far in the Black Wood of Rannoch
Than on causeways so steep in Dunedin.’

The regulations were again under the review of the Council on 30th July 1806, and when revised were, along with the regulations for hackney coaches and those for the Society of Porters, published in a book printed by Alexander Smellie for Peter Hill in that year. They also appear in full in the *Scots Almanack* for 1807. These regulations, in addition to all the usual conditions specified in previous regulations, enacted that in case of any fire or mob in the city or suburbs, every chairmaster or chairbearer was immediately to repair to the place with their slings or braces, and to obey the directions given by the Magistrates. A similar rule obtained in the city of Bath. The fares in the table were classed under two headings—First, according to distance (starting from convenient centres, such as the High Street, the Theatre, the Assembly Rooms in George Street, George Square, and Corri's Rooms), the rates varying from 9d. to 3s. ; Second, according to time, as follows :—

Hire of a chair for a whole day, i.e. from 10 in the morning till 12 o'clock at night	0	7	6
Hire for a week	1	11	6
Hire for a forenoon, from 9 morning till 4 afternoon	0	3	6
Hire for an afternoon from 4 o'clock till 12 at night	0	4	6
Or by the agreement of parties.			
Every double lift for <i>two grown</i> persons to pay double hire, two children, or one child under ten years of age, in a person's arms, always excepted.			
Each lift from 12 o'clock at night to 2 in the morning, to be charged over and above the fares	0	0	6
And <i>double</i> hire after 2 o'clock in the morning.			
Any person calling a chair to a lodging and not making use of it, to pay	0	0	9
Each half-hour's attendance	0	0	3

DISTANCE—TWO MILES

From the Tron Church to Murrayfield, Slockindrought,
Brigs of Braid, Libberton Mains, Blackford, Cameron,

Redhouse, Peppermill, Wester Duddingstone, Niddrymains, and Brickfield	0	3	0
The same fare for <i>returning</i> from any of the above places, exclusive of the allowance of 3d. for each half-hour wait- ing after the first.			

On 27th June 1810, Bailie Goldie represented to the Council that it would be necessary to make some alterations in the regulations and rates of fares for the chairmen and porters of Edinburgh, and the Council remitted the same to the Magistrates to consider and report. On 12th September of that year the following is found in the Minutes: 'On Petition for the chairmasters of Edinburgh and a report from the Magistrates thereanent the Council granted liberty to the Petitioners to have one chair on the pavement close to the railing at every stance on the condition that the outside pole of the chair shall never be left out under the penalty of 5s. stg.' On 26th February 1812, the Council approved of the revised regulations and fares and appointed them to be strictly observed from and after 1st March. The general rule to be observed for fares by distances was: Not exceeding two furlongs 6d., and 3d. for each additional furlong. The general rules according to time were as stated in 1806.

With the growth of the new town the majority of the patrons of the Sedan had migrated to the north side of the valley, so that there were now more stances on that side than in the old town. Even the chairmen had made some attempt to find dwelling-places on the north side of the valley, for in the early years of the nineteenth century we find a number of them located in St. Anne Street, which was on part of the site now occupied by the North British Hotel. Of the few lists of chairmen and chairs still accessible one is dated 7th April 1814, and gives a very accurate and instructive statement of the Sedans and their stances in Edinburgh at that time. From that list it appears that there were thirty-six chairmasters, eighty-five chairmen, and one hundred and one chairs

in use in the city. Although the number of chairs had somewhat decreased it will be seen that there was still a large number in use and one can understand Sir Walter Scott's reference at that time to 'those sturdy Gael who have now the happiness to transfer the belles of Edinburgh in their Sedan-chairs to ten routs in one evening.' Of the thirty-six chairmasters, three had five chairs, three had four chairs, seventeen had three chairs, ten had two chairs and three had one chair. Three chairmasters had stances in the Old Town, two being at the Tron, the old familiar locality for chairs, and one in the Lawnmarket. The chairmasters at the Tron were Donald M'Glashan, before referred to, who owned five chairs, and Donald M'Leish who owned three chairs. There was only one chair at the Lawnmarket. In the south side suburb, there were two in George Square. The streets appended to the names of chairmen in the new town show seven in Frederick Street, four in Castle Street, three in Hanover Street, two in each of Charlotte Street, St. David Street, Howe Street, Elder Street and at the Playhouse, and one in each of the following streets, Hope Street, Clyde Street, Dundas Street, Duke Street, St. Andrew Square, York Place and Union Street.

At the expiry of the first twenty-five years of the nineteenth century, it may be well again to make some reference to the connection of the Sedan with the social life of the city.

When the century opened Sir Walter Scott had been over a year at 39 Castle Street where he was to reside so long, and either about that time or a few years later two brothers, Donald and Charles Robertson, natives of Loch Tummelside, established themselves as chairmen and chairmasters in the vicinity of Castle Street. They resided in Rose Street and usually had their stance at the west corner of South Castle Street and George Street, or at the west corner of North Castle Street and George Street according to conditions of weather. Their chairs were very good ones, being upholstered in morocco and silk and estimated to cost from £30 to £35. The two

brothers have been described as 'fine-looking fellows, sturdy and obliging.' These were the men whom Sir Walter employed for many years when he wished the use of a chair, and as the stance was so near, all that the servant at No. 39 had to do when the services of the chairmen were required was to go to the door and beckon to the men. Scott had a particular liking for 'Big Donald,' as the elder was called, and employed him and his brother on every possible occasion. Many a time the two brothers conveyed the novelist to the Celtic Ball in the Assembly Rooms in George Street in their fine chairs. These facts are mentioned in a letter written to the *Scotsman* in September 1892 by Henry Dryene, Blairgowrie, who had received them from Charles Robertson's son, who was at that time residing at Dalguse, Perthshire.

In the second decade of the century, while Scott was living at 39 Castle Street and occasionally being conveyed about town in the Sedans of the brothers Robertson, Lady Nairne, the Scottish songstress, was residing at Holyrood Palace and making excursions into town and going to the Canongate Church on Sundays in her Sedan. It may be mentioned here that there are, or were till recently, two Sedans in Holyrood Palace. Possibly one belonged to the Hamilton family and one has for long been known as Lady Nairne's chair, but there is nothing on either of the chairs to prove their connection with any individual.

The Sedan continued to be greatly used for all social functions, as may be gleaned from the following lines taken from *The Beauties of Speculation or Twenty-four Hours in Edinburgh*, published in 1808 :—

'Now fast approach the solemn hour of night
When Belles and Beaux from dinners take their flight
To meet at Routs at Concerts or at Balls,
With every new delight where Fashion calls.
The chairs trot off, the carriages are hurl'd
To Lady Sonny's Ball and all the world.'

In the research into the history of the Sedan one finds very few contemporary descriptions of them and their bearers, and it is the more interesting to come across two references to them by different writers relating to exactly the same period.

A writer in *Chambers's Journal* for 1902, born in 1818 and dealing with the twenties of the nineteenth century, refers to the chairmen in eighteenth-century costume sitting on a bench at the south-west corner of Hill Street and Frederick Street. The present writer himself, and no doubt others, remembers of a porter who sat on a bench at that very spot in the late eighties and probably nineties with his leather slings, but he was not in eighteenth-century costume, and the Sedan had gone. Lockhart, in *Peter's Letters to his Kinsfolk*, referring to the men sitting at the corners of the streets on benches writes: 'A pack of sorely blackened cards, or an old rotten back-gammon board, furnishes a small proportion with something like occupation; but the greater part are contented with an indefatigable diligence in the use of tobacco, which they seem to consume indifferently in all its shapes, smoking, chewing, and snuffing, with apparently the same intensity of satisfaction.'

On the great occasion on 22nd August 1822, when George IV. made his state visit to Edinburgh, the Society of Chairmasters took their places among the various corporations and bodies who lined the streets from Holyrood to the Castle. The position assigned to them was from Bank Street to Milne's Court, where they stood, along with the porters and carters, attired, like all others, with crosses on their breasts, heather or thistles in their hats, and most of them with white rods in their hands.

The passing of the first quarter of the century saw a further decrease in the number of chairs. In the list for 1825 there were 22 chairmasters, 59 chairmen, and 75 chairs; in that for 1827, 18 chairmasters, 52 chairmen, and 46 chairs; and in that for 1829, 19 chairmasters, 56 chairmen, and 54

chairs. It is, however, noted in the 1827 list, that the names of the King's freeman chairmaster and bearers had not been taken down as they would not agree to the regulations of the Society.

A point has now been reached when the further history of the Sedan in Edinburgh can be gleaned to some extent either from living memory or from information previously supplied by those who have recently passed away. An old resident of Edinburgh, and a late member of the Club, but now deceased, told of the manner in which his mother, who about the twenties of the century was a pianist in Edinburgh, and was often engaged to play at routs and other parties, proceeded to such social functions. It was, of course, proper to arrive at the house in a Sedan, and although the hostess occasionally sent a chair for her, she had frequently to hire her own chair. If the distance was short the expense was small, but if the distance was great and the night fine she often walked part of the way, and then took a chair at a stance nearer to her destination. It will thus be seen that at this period it was very dignified to use a Sedan. So much was this the case that when a certain fire took place the Firemaster immediately gave an order to send for a chair to convey him to the scene.

Passing into the thirties the following figures show the number of names appearing under the heading of 'Chairmasters' in the Edinburgh Directories of the time. 1833, nine; 1834, eight; 1835, seven; 1836, seven; 1837, eleven; 1838, five; 1839, five.

Since the time when the first regulations were drawn up many revisions had taken place, and representative specimens of the revised regulations have herein been given. The last general regulations to which it is proposed to make reference are those dated 11th November 1834. It was therein enacted that all persons not members of the Society who desired to act as masters or bearers, were to apply to the

Magistrates and to produce a certificate of character and evidence of fitness to discharge the duties of the office ; that if any such person was admitted by the Magistrates his name was to be entered in the Roll by the Clerk, and upon production of a certificate by the Clerk to that effect to the Preses of the Society, and on payment of 4s. of season money towards the expenses of the Society in maintaining a constable for enforcing the regulations, he was to receive a badge from the Society, for which he was to pay 1s., but that he was not to ply until he had obtained a badge ; that all badges were to be returned on the holders ceasing to act as chairmen ; that at all public places such as the Assembly Rooms, theatre, etc., all chairs were to be taken up by rotation as they were set down, and that there were to be no set lifts ; that chairs for the Assembly Rooms were to enter from Rose Street and to be placed at the sides, and none were to be placed in front ; that no chair was to be left after twelve o'clock at night without two chairmen in attendance ; that at private balls, routs, music parties, etc., those chairmen who had set lifts were to set down their chairs at the left side of the door, and those who had not been previously hired but had attended upon chance, at the right side of the door ; that no chairman was to put down his chair on the left side without giving the name of his employer to the constable or his assistants, nor was he to take any other persons other than his employer therefrom, nor more than one lift from the left or set side. That no chairman was to put down a chance chair before nine o'clock (except the constable or his assistants officiating, who were to have the first chance), nor was any chairman to remove his chair from the chance side to the set side, or take any lift another chairman was engaged for, but each chair was to come up in rotation ; that no chair was to be brought up nor was any chairman to stand at the stairhead or before the door, and that the constable or his assistants might take away any chairman who was drunk and disable his chair by taking out the cushion or pole.

A memorial had evidently followed on these regulations, for in July 1835 the Lord Provost and Magistrates having considered the memorial and answers thereto, amended the regulations, to the effect that the season money was to be 1s. instead of 4s. and that the constable and his assistants were to be entitled to the first lift at the parties at which they attended.

In the *Edinburgh Directory* of 1850-51 certain regulations are given for the entrance of Sedan-chairs into the Assembly and Concert Rooms in George Street in which *inter alia* it is directed that all chairs were to approach along the north side of George Street, cross the street, and enter the entrance hall by the right-hand west division of the new front door and to retire by the eastern division of the door.

The building of the new town had steadily proceeded, and streets were rising up on the other side of the Water of Leith in the vicinity of Canonmills, such as Howard Place, Warriston Crescent, and Inverleith Row. The residents of that district were certainly cut off from the conveniences that those who lived nearer Princes Street had, and we find that in 1835 certain of the inhabitants of the above-named streets applied to the Sheriff of the County (for the district north of the river was then outside the Burgh boundaries) to have a stance for chairmen and porters established at the north end of Canonmills Bridge, and the Sheriff having considered the application, found the request to be reasonable, and acceded to it. The printed regulations are many and carefully drawn up. The number of chairmen on the stance was not to exceed four, and as the demands for the Sedan alone at that place could not then afford them full occupation they were to be allowed to ply as porters, it being, however, understood that when not actually employed in conveying a chair they should be considered in all respects as porters and be subject to the same regulations and rates charged as porters. There were also four regular porters allowed at the stance, but they were

not permitted to act as chairmen unless they entered as a master with the Society of Chairmasters and Bearers of Edinburgh, or had a special licence from the Council of that Society. The rules for the chairmen followed on the same lines as those for the city. The four porters and the four chairmen when not engaged in carrying a chair were to wear an apron and have at least four fathoms of rope by their side, and the town badge upon their breast, with their number and name engraved on them. They were likewise each to have on their stand two creels, one for coals, and the other for bottles. They were as usual to be bound to render assistance at a fire or disturbance, and to give immediate notice to the police of every person whom they should discover stealing coals, or mugging coals from carts or horse loads, or who might be concerned in smuggling liquors. It was also strictly enjoined that no drink money or gratuity whatever was to be asked or received by those on the stance, from any one newly entering as a chairman or porter. The bounds to which the employment of persons at this stance were properly to extend were, Inverleith Row, Inverleith Place, Howard Place, Warriston Crescent, Canonmills, Huntly Street, Canon Street, Brandon Street, Eyre Place, Henderson Row, Clarence Street, Claremont Street, Saxe-Coburg Place, and intermediate places. In addition to the usual rates, a new entry appears here, viz.: For bath-chairs placed on wheels and hurled by one man, the rate of two-thirds only. But a chair was also to be had at Stockbridge, at one time, for an old citizen remembered a Waterloo veteran who resided in old Deanhaugh House, and kept a chair for public hire. It seems that a large house on the north side of Edinburgh was being taken down and in an outhouse at the back were one or two Sedans which were regarded as useless, so the old veteran had been allowed to carry one of them off to Deanhaugh Street, where he and a retired butler made a little by carrying ladies and children in that district.

It will thus be seen that even in the thirties the Sedan traffic, although sadly reduced as compared with the days of the eighteenth century, was still a factor in the life of the city. It was much cheaper than a coach, and it was late in the thirties till the four-wheeled cab came into popular use. That the Sedan business could still induce men to come from the north to engage in it is evident from the fact that a lady relates that her father, who was the son of a sheep-farmer in Blair Atholl, left his sheep farming when a young man with some little capital, probably early in the thirties, and bought three Sedan chairs. His name appears in the Directory of 1838-39, and his office was at 3 Forres Street. In his account-book of 1844, under the heading of 'Sabbath Chair Hires,' there regularly appears an entry for taking a certain French governess 'to Chapel.'

In a petition by the office-bearers and others of the Society to the Council in 1842 it was stated that they understood that a memorial was being presented to induce the Council to alter the 11th article of the regulations, the alteration proposed being to the effect that chairmen might be at liberty to take as many set lifts at private balls, routs, assemblies, etc., as they might happen to get instead of being restricted to one set lift as set forth in the article, and the petitioners complained that such an alteration would hurt those engaged or disengaged, be likely to cause disturbance and confusion, and in great measure tend to set aside the authority of the constable and his assistants attending to keep order on such occasions. They desired to impress upon the Council that the memorialists clearly wished to act upon their own responsibility and independently of any regulations made for the benefit and comfort of the public. Further they stated that the memorialists, not being members of the Chairmen's Society, were charging the members of the Society with being unsteady and often the worse of drink and declaring that their chairs were not in fit repair, and therefore not in a proper condition to be hired.

The petitioners respectfully requested that an investigation be made into the characters of all the parties as they had learned that there were some of doubtful character among their opponents, and at the same time they earnestly requested that the Council in their goodness would be pleased to keep in force the regulations as they were. The petition was signed by Duncan Robertson, constable, followed by sixteen other signatures.

In the forties and fifties the numbers of chairmasters recorded in the Directories again show a steady decline until the heading of chairmasters entirely disappears. The numbers were as follows: 1840, four; 1841, three; 1842, three; 1843, two; 1844, two; 1845, two; 1846, two; 1847, one; 1848, one; 1849, one; 1850, one; 1851, one; 1852, one. There are no further entries after the last-mentioned year, but it does not follow that the Sedan had altogether disappeared from the streets, for one or two could still be had several years after that; and a Writer to the Signet and a Sheriff, both well known at present in Edinburgh, have recollections of being carried in their childhood in chairs, the former to Circus Place School in or about 1855 and the latter to a party in or about 1857. In addition, one who was a footman in his youth has given recollections of having attended his mistress in Coates Crescent between the years 1849 and 1855 when she went out in a chair. By the time the sixties came in, however, the Sedan business was entirely at an end, and with its termination passed away a picturesque feature of Old Edinburgh life.

JAMES H. JAMIESON.

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APPENDIX

NINTH ANNUAL REPORT
Etc.

Old Edinburgh Club

1916

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Prof. G. BALDWIN BROWN, 25 Coates Gardens.
F. C. MEARS, 4 Forres Street.
WILLIAM M. GILBERT, *Scotsman* Office, North Bridge.

Honorary Auditor

JOHN HAMILTON, C.A., 35 Alva Street.

REPORT OF THE NINTH ANNUAL MEETING OF THE OLD EDINBURGH CLUB

THE NINTH ANNUAL MEETING OF THE CLUB was held in the Old Council Chamber, City Chambers, on the afternoon of Wednesday, 31st January 1917, at 4 o'clock.

Mr. W. Moir Bryce, President of the Club, presided. There was a good attendance of Members.

Apologies were intimated from the Right Hon. the Lord Provost, Mr. Hippolyte J. Blanc, R.S.A., Mr. Robert T. Skinner, Mr. C. B. Boog Watson, and others.

The Ninth Annual Report and Abstract of Accounts which had been issued to the Members was held as read, and is in the following terms :—

The Council beg to submit to the Club the Ninth Annual Report.

During the year ending 31st December 1916 there were 21 vacancies in the membership. These have been filled up, and there still remain 16 names on the list of applicants for admission.

The following meetings were held :—

1. RAVELSTON HOUSE AND GARDENS

On the afternoon of Saturday, 24th June 1916, by permission of Mrs. Clark, the Members visited Ravelston House and Gardens. There were about 60 Members present, and Mr. Thomas Ross, LL.D., acted as leader.

2. CRAIGCROOK CASTLE AND GARDENS

By permission of Mr. R. Douglas Croall, the Members visited Craigmock Castle and Gardens on the afternoon of Saturday, 15th July 1916. There was a large number of Members present. Mr. Thomas Ross, LL.D., and Mr. W. Forbes Gray, F.S.A. Scot., acted as leaders.

4 REPORT OF THE NINTH ANNUAL MEETING

PUBLICATIONS OF THE CLUB

The Book of the Club for 1914, containing the transcript of the Holyrood Ordinale, with Introduction by Mr. F. C. Eeles, was issued to the Members in April last.

Their Majesties the King and Queen, when in Holyrood during 1914, asked to see this ancient Service Book of the Abbey of Holyrood, in which they expressed great interest, and, with the sanction of Their Majesties, the volume was dedicated to them.

The following letter was received by the Hon. Secretary from Lord Stamfordham, Private Secretary to His Majesty, in acknowledgment of copies of the volume.

BUCKINGHAM PALACE,
16th June 1916.

DEAR SIR,—I have received and laid before the King and Queen the copies of the Book of the Old Edinburgh Club for 1914, being the reproduction of the ancient Service Book of the Abbey of Holyrood.

Their Majesties are grateful to the Members of the Club for this work, containing so much of interest connected with the past history of Holyrood and the early liturgy of Scotland.—Believe me, yours very faithfully,
STAMFORDHAM.

The arrangements for the Book of the Club for 1916 have not been completed, but it will include articles by the President on the Burgh Muir, and on the Ancient Celtic Regalia of Scotland; also, an article on Old Edinburgh Engravers by Sheriff Guy. It is further in contemplation to print in this volume a collection of excerpts from State Papers in the Register House relating to Edinburgh Castle. These excerpts have been made by Mr. Moir Bryce during his researches in recent years.

The Chairman, in moving the adoption of the Report, said:—

Since we met last year the Volumes for the years 1914 and 1915 have been issued to the Members, and from their contents the Council may fairly claim to have made a considerable advance in bringing to light new facts relating to the history of Old Edinburgh. Of the

Holyrood Ordinale, the work of my friend Mr. Eeles, I need hardly make further reference. It marks, undoubtedly, a feature in both historical and literary aspects of contemporary research.

The Volume for 1915 is a return to our old methods, which have proved so successful, both in interest and quality of the work done. The first article by Dr. Thomas Ross and Professor Baldwin Brown, with the relative illustrations by Dr. Chrystal, are of singular value. Perhaps no other religious house in our country has been treated with such a wealth of detail, and it is to be hoped that these gentlemen will take up the Tailors' Hall, if not Holyrood Abbey itself, for similar microscopic treatment. The Club is certainly under a debt of gratitude to them for their valuable and exhaustive contribution.

The second article, by Mr. R. K. Hannay, the learned Curator of the Historical Department of the General Register House, on the visitation of the College of Edinburgh in 1690, displays the change in religious sentiment of the ruling authorities after the Revolution of 1688. The period back to 1660 showed the Government of the country under the ægis of the Episcopalian clergy. These men had for their director the well-known Archbishop Sharp, a man of a coarse, underbred nature, who was the centre of all the brutalities that characterised their régime. The Revolution brought about a change in the Government, carrying in its train considerable destitution among the Episcopal professors and clergy. The Members of the Club are indebted to Mr. Hannay for the scholarly and interesting article on an early episode in the history of our University.

In the third article Mr. Fairley has continued his Excerpts from the Records of the ancient Tolbooth, and from it one can gather the methods of government utilised by the clerical successors of Archbishop Sharp. These Excerpts will be of great utility for all future histories of the period.

Mr. Forbes Gray, with his facile pen, draws a vivid picture of the religious and social life of Edinburgh in the latter half of the eighteenth century, and we can quite agree with him that John Wesley did find it a hard task to gain converts in the citadel of Calvinism. It is to be hoped that our old city, which to Wesley was a place of pleasant memories, has considerably improved since his day in physical if not also in moral cleanliness.

The last notice in the Volume discloses a few quaint if not interesting facts relating to the ancient Regalia of our Stewart Kings.

6 REPORT OF THE NINTH ANNUAL MEETING

It will be observed that the Regalia was cleverly smuggled out of Dunnottar Castle in 1651 by Mrs. Granger, the wife of the Minister of the neighbouring parish of Kinneff ; while another woman—Johanna M'Alexander by name—managed to carry off the large oaken chest now in the Crown Room in the Castle, and thereby saved it from destruction at the hands of the Ironsides.

The Editorial Committee have not yet finally settled the lines on which the forthcoming Volume for 1916 is to be compiled, but it is expected that it will include an account of the Old Edinburgh Engravers by our friend Sheriff Guy, and articles (1) on the Burgh Muir of Edinburgh, and (2) on the Regalia of the early Kings of Scotland, both to be written by myself. Of the Burgh Muir I have already spoken. It seems to have been the practice from time immemorial to preserve the Regalia of our Sovereigns within the strong walls of the Castle of Edinburgh, and in 1296 the crown of King Alexander III. and his predecessors—back probably to the time of Malcolm Canmore—along with a large collection of articles and royal vestments belonging to the King, were carried off by Edward I. The story is an interesting one, even from a national point of view, and yet it seems to have been avoided by all our writers of history. Indeed the late Sir Archibald Campbell Lawrie, a learned and most capable historian, writing so late as 1910, seems to doubt the existence of any Scottish crown in those early times. The Scottish records, now extant, are practically silent on the subject, but in the contemporary English records the true facts are to be found, and have been published many years ago. The fate of this Regalia is also known, and the story should, I hope, prove of interest.

I propose also, with the consent of the Editorial Committee, to append a number of hitherto unpublished Excerpts from the Records in the Register House, relating to the Castle of Edinburgh, dating mainly from the seventeenth century. To these I propose to add facsimiles of two or three deeds relating to well-known Old Edinburgh buildings, including a letter by James VI., dated in 1615, instructing the purchase of the well-known building in the Canongate called 'Aitchison's House,' for the purposes of the Royal Scottish Mint. After publication, I intend to present these documents for preservation in the Register House. I may add, at this point, that in the course of the last thirty years I have handed over to that Institution between three and four hundred documents, including Charters, MS.

Books and historical papers. It is remarkable how many documents of this nature are still to be found in private hands. In the *Register of St. Giles*, published by the Bannatyne Club, Dr. David Laing mentions the fact that he and a friend picked up a large number of Charters belonging to St. Giles, which had been thrown out of the Tolbooth at the transference, nearly one hundred years ago, of the Records to the Municipal Buildings. But times have changed. Donations, from various sources, of valuable documents have recently been received at the Register House, and the officials are now only too pleased to accept, for custody, all such additions to the national muniments. A sale in the month of March next has been announced to take place in London, of a large collection of Scottish deeds dating from James I. to Mary Queen of Scots, and it is to be regretted that these documents could not be secured for our national repository. It is upon Charters and similar deeds that our history, national and local, is compiled.

Mr. James Oliver seconded, and suggested that in consequence of the increased cost of paper, etc., owing to the war, the Club should drop publishing volumes for 1916 and 1917, and begin again in 1918, numbering them consecutively, and keep the volumes up to date.

Mr. William Cowan said that the Council would keep the suggestion in view, but so far as he could see, there was no need for the scheme suggested. He believed if the publications were dropped, there would be a serious loss of members.

The Report and Balance Sheet was adopted.

Mr. Moir Bryce then moved the re-election of Lord Rosebery as Hon. President, and the Lord Provost of Edinburgh, Sir James Balfour Paul, C.V.O., LL.D., Lyon King of Arms, Professor Hume Brown, LL.D., Professor John Chiene, C.B., as Hon. Vice-Presidents, and the motion was cordially adopted.

On the motion of Mr. William Cowan, Mr. Moir Bryce was unanimously elected President of the Club.

Mr. William Cowan, Mr. Thomas Ross, LL.D., and Mr. Robert T. Skinner were appointed Vice-Presidents, with

8 REPORT OF THE NINTH ANNUAL MEETING

Mr. Lewis A. MacRitchie as Hon. Secretary, Mr. Thomas B. Whitson, C.A., as Hon. Treasurer, and Mr. John Hamilton, C.A., as Hon. Auditor.

Mr. William Baird, Mr. A. H. Campbell, Mr. W. Forbes Gray, and Mr. Charles E. Green were elected Members of Council.

A hearty vote of thanks was awarded to Mr. Hippolyte J. Blanc, the retiring Vice-President, and to Mr. J. Cameron Robbie, Mr. W. T. Oldrieve, Sheriff Guy, and Dr. W. B. Blaikie, the retiring Members of Council.

Sir James Balfour Paul moved a vote of thanks to Mr. Moir Bryce for presiding.

The Meeting then terminated.

ABSTRACT OF THE ACCOUNTS OF THE HONORARY TREASURER

For the Year ending 31st December 1916.

CHARGE		DISCHARGE	
I. Funds at close of last Account :—		I. Transactions—	
On Deposit Receipt,	£450 0 0	Volume VII.—Printing and Binding,	£182 10 9
In hands of Honorary Treasurer,	5 4 7	“ Delivery,	7 16 10
Arrears of Subscriptions :—	£455 4 7		
For year 1913—			
1 Library at 10s. 6d.,	£0 10 6	II. Expenses of Meetings,	£190 7 7
Less written off—1 Library,	0 10 6		
For year 1914—		III. Printing and Stationery,	5 9 9
1 Member at 10s. 6d.,	£0 0 0		
1 Library at 10s. 6d.,	0 10 6	IV. Miscellaneous—Postages, etc.,	6 9 4
			6 1 7
Less written off—1 Library,	£1 1 0		£208 8 3
For year 1915—		V. Funds as at 31st December 1916 :—	
9 Members at 10s. 6d.,	£0 10 6	On Deposit Receipt,	£430 0 0
2 Libraries at 10s. 6d.,	£4 14 6	In hands of Honorary Treasurer,	24 18 2
Less written off—1 Lib.	£5 15 6	Less accounts outstanding,	£454 18 2
	5 15 6		0 15 7
			£454 2 7
II. Subscriptions :—	£461 0 1	Arrears of Subscriptions :—	
For year 1916—		For year 1915—	
350 Members at 10s. 6d.,	£183 15 0	4 Members at 10s. 6d.,	£2 2 0
Less paid in advance during		For year 1916—	
1915—5 Members,	2 12 6	22 Members at 10s. 6d., £11 11 0	
		2 Libraries,	1 1 0
			12 12 0
21 Libraries at 10s. 6d., £11 0 6	£181 2 6		14 14 0
4 Associates,	0 10 0		468 16 7
Less 1 Associate paid in advance during 1915,	£11 10 6		
	0 2 6		
	£11 8 0		
For year 1917 (in advance)—			
5 Members at 10s. 6d.,	14 0 6		
III. Interest on Deposit Receipt,	195 3 0		
IV. Transactions sold to Members—8 at 10s. 6d.,	16 17 9		
	4 4 0		
	216 4 9		
	£677 4 10		

Note.—The above funds have to meet the cost of publication of two volumes.

Note.—The above funds have to meet the cost of publication of two volumes.

EDINBURGH, 23rd January 1917.—I have examined the Accounts of the Honorary Treasurer of the Old Edinburgh Club for the Year ending 31st December 1916, of which the above is an Abstract, and find them correctly stated and sufficiently vouched and instructed.

THOMAS B. WHITSON, C.A., *Hon. Treas.*

JOHN HAMILTON, C.A., *Hon. Auditor.*

Old Edinburgh Club

LIST OF MEMBERS

1916

AITKEN, ROBERT, 16 Hope Terrace.
Alexander, A., National Bank, 179 High Street.
Alexander, James, 45 Cluny Drive.
Allison, James, 5 Ventnor Terrace.
Anderson, Mrs. Arthur, 31 Bellevue Place.
Anderson, Sheriff David, K.C., 12 India Street.
Anderson, Miss Helen Maud, 12 Learmonth Terrace.
Anderson, John, 4 Bruntsfield Terrace.
Angus, William, Record Office, H.M. Register House.
Armstrong, John Johnston, Millbrook, Eldindean Road, Bonnyrigg.

BAIRD, WILLIAM, J.P., Clydesdale Bank House, Portobello.
Balfour, Prof. Isaac Bayley, D.Sc., Inverleith House.
Barclay, Oswald, 17 Gayfield Square.
Barnett, David, Corporation Museum.
Barrett, J. A. S., M.A., The Library, University College, Dundee.
Barrie, John A., 15 Abbey Road, Eskbank.
Baxendine, Andrew, 10 M'Laren Road.
Baxter, David, M.A., Elmhurst, Cramond Bridge.
Bell, Mackenzie, 11 Buckingham Gate, London, S.W.
Beveridge, Erskine, St. Leonard's Hill, Dunfermline.
Birnie, George R., 67 Trinity Road.
Blaikie, Walter Biggar, LL.D., 11 Thistle Street.
Blanc, Hippolyte J., R.S.A., 25 Rutland Square. (*Vice-President.*)
Bolton, James B., C.A., 12 Blinkbonny Crescent, Blackhall.
Bonar, Horatius, W.S., 3 St. Margaret's Road.
Bonnar, William, 51 Braid Avenue.
Borthwick, A. E., 2 Merchiston Crescent.
Boyes, John, 40 Glendevon Place.
Brock, Dr. Andrew John, 24 Braid Crescent.
Brotherston, G. M., 23 Jeffrey Street.

LIST OF MEMBERS

11

- Brown, Charles, 9 Bernard Terrace.
 Brown, Mrs. David, Willowbrae House, Willowbrae Road.
 Brown, Prof. G. Baldwin, 25 Coates Gardens.
 Brown, Miss Joan, 17 Gilmour Road.
 Brown, Prof. P. Hume, LL.D., 20 Corrennie Gardens. (*Hon. Vice-President.*)
 Bruce, Alexander, Clyne House, Pollokshields.
 Bruce, James, W.S., 16 Hill Street.
 Bryce, P. Ross, F.S.A.Scot., 33 Craigmillar Park.
 Bryce, William, 28 Park Avenue, Portobello.
 Bryce, Wm. Moir, F.S.A.Scot., Dunedin, Blackford Road. (*Pres.*)
 Burnett, Rev. W., B.D., Restalrig Manse, Lismore Crescent.
- CALDER, Mrs. LOGAN, 60 Leith Walk, Leith.
 Calderwood, Rev. R. S., F.R.S.E., Cambuslang.
 Cameron, James M., 26 Melville Terrace.
 Campbell, A. H., Burgh Engineer, Parliament Square.
 Campbell, J. D. B., 25 Ainslie Place.
 Carbarns, Hugh, 25 Braidburn Crescent.
 Cargill, Alexander, J.P., 18 Wester Coates Gardens.
 Carmichael, James T., Viewfield, Duddingston Park.
 Carmichael, The Right Hon. Lord, of Skirling, K.C.M.G., Murrayfield, Biggar.
 Carmichael, Thomas, S.S.C., 2 Strathearn Place.
 Carter, W. Allan, 32 Great King Street.
 Cassillis, Right Hon. The Earl of, Culzean Castle, Maybole.
 Chambers, C. E. S., Cardney, Dunkeld.
 Chiene, John, C.B., Aithernie, Davidson's Mains. (*Hon. Vice-Pres.*)
 Christie, Mrs., 7 Gordon Terrace.
 Chrystal, F. M., M.B., c/o Williamson, 5 Lauriston Park.
 Chrystal, Robert Neil, B.Sc., Entomological Branch, Berks Building, Ottawa.
 Clark, Alexander, Keeper, Register of Deeds, Register House.
 Clark, John B., M.A., F.R.S.E., Heriot's Hospital.
 Clarkson, James Copland, 20 Forth Street.
 Cochrane, James, 24 Moat Place.
 Cochrane, Robert, 4 Mardale Crescent.
 Cockburn, Harry A., 37 Royal Avenue, Chelsea, S.W.
 Cooper, W. Ross, M.A., 94 George Street.
 Cormack, D. S., 19 Dalziel Place, London Road.

Cossar, Mrs. Isabella, Southview, Murrayfield.
 Couper, Rev. W. J., M.A., 26 Circus Drive, Glasgow.
 Cowan, John James, Westerlea, Murrayfield.
 Cowan, William, 47 Braid Avenue. (*Vice-President.*)
 Craig, Sterling, M.A., 130 Princes Street.
 Cranston, Col. Sir Robert, K.C.V.O., C.B., 54 Craigmillar Park.
 Crawford, Donald, M.A., K.C., 35 Chester Street.
 Crawford, George, 60 Marchmont Road.
 Croal, Miss Caroline H., 14 Eyre Crescent.
 Crombie, David, 11 Rutland Square.
 Cullen, William J., 7 Howard Street.
 Cumming, David, 32 St. Alban's Road.
 Cunningham, J. H., 2 Ravelston Place.

DALGLEISH, JOHN J. (of Westgrange), Brankston Grange, Alloa.
 Dalrymple, Hon. Hew, Lochinch, Castle Kennedy, Wigtownshire.
 Darling, Alexander, J.P., 23 South Oswald Road.
 Dawson, A. B., 33 Royal Terrace.
 Deas, John W., S.S.C., 63 Frederick Street.
 Dick, Thomas, S.S.C., 71 East Trinity Road, Leith.
 Dobbie, Joseph, S.S.C., 26 Charlotte Square.
 Dobie, W. Fraser, St. Catherine's, Liberton.
 Donald, Alexander Graham, M.A., F.F.A., 5 Craighouse Terrace.
 Donaldson, Robert, M.B., Ch.B., F.R.C.S., 'Merchiston,' Eastern
 Avenue, Reading.
 Dott, Miss Margaret S., 215 Bruntsfield Place.
 Douglas, Alex. M'Laren, 26 Lauriston Gardens.
 Douglas, John, 6 St. Mary's Grove, Barnes Common, London, S.W.
 Douglas, L. MacQueen, 29 West Savile Terrace.
 Douglas, Robert E., 89 George Street.
 Doull, John, Argyle Brewery, Chambers Street.
 Dow, James, 53 Princes Street.
 Drummond, W. J. A., C.A., 10 Stafford Street.

ELLIOT, ANDREW, 17 Princes Street.
 Elliot, George H., 17 Princes Street.
 Elliot, Lieut.-Colonel The Hon. Fitzwilliam, 16 Royal Terrace.
 Elliot, Stuart Douglas, S.S.C., 40 Princes Street.
 Erskine, Henry, 27 Frederick Street.
 Ewing, James L., LL.D., Derreen, Murrayfield Drive.

LIST OF MEMBERS

13

- FAIRLEY, JOHN A., 3 Barnton Gardens, Barnton Gate.
 Ferguson, James Haig, M.D., 7 Coates Crescent.
 Ferguson, Mrs. Haig, 7 Coates Crescent.
 Ferguson, Miss Jessie, The Lodge, Forbes Road.
 Forbes, Miss Mabel C., c/o Finlay, 'Southfield,' Liberton.
 Forrest, John L., 19 Warrender Park Crescent.
 Fortune, R., S.S.C., 35 Mansionhouse Road.
 Foulis, D. A., 15 Frederick Street.
 Fraser, Dr. John, 3 Darnaway Street.
- GARVEN, JAMES, Pinkie Pans, Musselburgh.
 Geddie, John, 16 Ann Street.
 Gibb, James A. T., I.S.O., 7 Dalkeith Street, Portobello.
 Gibson, James T., W.S., 14 Regent Terrace.
 Gibson, Thomas, 7 Glengyle Terrace.
 Gilbert, W. M., *Scotsman* Office, North Bridge.
 Giles, Arthur, F.R.S.G.S., 191 Bruntsfield Place.
 Gilmour, Col. R. Gordon, of Craigmillar, The Inch, Liberton.
 Good, Mrs., Braefoot, Liberton.
 Goudie, Gilbert, 31 Great King Street.
 Graham, R. D., F.R.S.E., 12 Strathearn Road.
 Graham, William, Union Bank, George Street.
 Grant, Dr. Hope, Invicta House, Sheerness.
 Grant, John H., 41 St. Andrew Square.
 Grant, Robert, 31 George IV. Bridge.
 Gray, James, 29 Polwarth Gardens.
 Gray, Robert Collie, S.S.C., 10 Hermitage Drive.
 Gray, W. Forbes, F.S.A.Scot., 8 Mansionhouse Road.
 Green, Charles E., 4 St. Giles Street.
 Greig, Thomas B., Woodridge, Dalkeith.
 Grierson, Andrew, 29 Mayfield Road.
 Guthrie, Hon. Lord, LL.D., 13 Royal Circus.
 Guy, John C., Sheriff-Substitute, 7 Darnaway Street.
- HAMILTON, JOHN, C.A., 35 Alva Street. (*Hon. Auditor.*)
 Hardie, J. P., 15 Rothesay Place.
 Hardie, R. S. L., Ashley, Ratho.
 Harrison, John, Rockville, 3 Napier Road.
 Hay, William J., John Knox's House, High Street.
 Hewat, Fergus, M.B., Ch.B., 13 Eton Terrace.

Highgate, James, 125 Constitution Street, Leith.
Hogben, John, 9 Duddingston Crescent, Portobello.
Hope, Thomas, 129 Paynes Road, Southampton.
Hunter, Andrew, 48 Garscube Terrace.
Hunter, Sir Thomas, W.S., LL.D., Town Clerk, City Chambers.
Hutcheson, Alexander, M.A., 4 Denham Green Avenue.

INGLIS, E. O., 27 India Street.
Inglis, Francis Caird, F.S.A.Scot., Rock House, Calton Hill.
Inglis, George, 1 Rillbank Terrace.
Inglis, John, 8 Wellington Street.
Inglis, Joseph, W.S., 110 George Street.
Inglis, Miss Margaret J., 39 Bruntsfield Place.
Ingram, Alexander, 12 Bright's Crescent.
Ingram, Hugh S., 53 Trinity Road.
Inman, William, 11 Newbattle Terrace.

JACK, THOMAS CHATER, 11 Greenhill Gardens.
Jameson, James H., W.S., 16 Coates Crescent.
Jamieson, James H., 12 Sciennes Gardens.
Johnston, George Harvey, 22 Garscube Terrace.
Johnstone, David, 75 Hanover Street.
Joss, John, 7 Wellington Street.

KAY, JOHN TELFER, 10 Granton Road.
Kelly, John G., 3 Whitehouse Loan.
Kemp, Alexander, 227 Dalkeith Road.
Kerr, Henry F., 10 Randolph Place.
Kerr, Rev. John, M.A., 54 Stonefall Avenue, Starbeck, Harrogate.
King, John A., 35 Morningside Park.
King, Miss Margaret P., Osborne Nursery House, Murrayfield.
Kippen, John, M.A., Burrell Square, Crieff.

LANGWILL, H. G., M.D., F.R.C.P.E., 4 Hermitage Place, Leith.
Latimer, George Brown, 143-7 Lothian Road.
Laurie, Principal A. P., Heriot-Watt College.
Learmont, James, 47 Polwarth Gardens.
Leckie, John, Brookfield, 19 South Oswald Road.
Leishman, Thomas A., H.M.I.S., Dunsville, Liberton.
Lessels, Henry, C.A., 10 Stafford Street.
Lindsay, William, 18 South St. Andrew Street.

LIST OF MEMBERS

15

- Logan, John Douglas, 1 George Square.
 Lorimer, George, Durisdeer, Gillsland Road.
 Low, Miss, 27 Mayfield Gardens.
 Lowe, D. F., LL.D., 19 George Square.
- MACAULAY, Mrs., 4 Grosvenor Street.
 Macdonald, Wm. Rae, F.F.A., Neidpath, Wester Coates Avenue.
 Macfarlane, W. W., 10 Tipperlinn Road.
 Macfarlane-Grieve, W. A., M.A., J.P., of Penchrise and Edenhall,
 Impington Park, Cambridgeshire.
 M'Guffie, John, 10 Ardoch Street, Possilpark, Glasgow.
 MacIntosh, Mrs. Mary Hay, 23a Dick Place.
 Mackay, James F., W.S., Whitehouse, Cramond Bridge.
 Mackay, John, S.S.C., 37 York Place.
 Mackay, L. M., 5 Regent Terrace.
 Mackay, William, Solicitor, Inverness.
 Mackay, William, M.A., 3 Danube Street.
 M'Kelvie, Alex., C.A., 26 Mortonhall Road.
 M'Kenzie, James, 201 Morningside Road.
 Mackie, George, 6 Carlton Terrace.
 Mackie, P. Jeffrey, Corraith, Symington, by Kilmarnock.
 MacLaren, Duncan, S.S.C., 62 Frederick Street.
 M'Lean, Miss, 19 Coates Crescent.
 M'Lean, Miss Frances A., 19 Coates Crescent.
 M'Leod, Alex. N., c/o Jeffrey, 4 Bruntsfield Terrace.
 MacLeod, Sir John Lorne, S.S.C., D.L., 25 Albany Street.
 M'Leod, Neil, 81 Harrison Road.
 Macphail, J. R. N., 17 Royal Circus.
 MacRitchie, Lewis A., 40 Princes Street. (*Hon. Secretary.*)
 M'Taggart, John, 12 Meadow Place.
 Macvey, William, 75 Argyle Crescent, Portobello.
 Maltman, A. J., 61 Brunswick Street.
 Manclark, James M'Kinnon, 42 Grange Road.
 Manson, James A., 4 Cornwall Avenue, Church End, Finchley,
 London.
 Manson, William, 18 Esslemont Road.
 Mears, Frank C., 4 Forres Street.
 Melles, J. W., of Gruline, Aros, Isle of Mull.
 Melven, William, M.A., Whim Lodge, Gullane.
 Menzies, John R., 3 Grosvenor Crescent.

Middleton, Miss Harriet A., Manorhead, Stow.
 Middleton, James Aitken, M.D., Manorhead, Stow.
 Millar, Sheriff James G., 5 Park Circus, Glasgow, W.
 Milne, Archibald, M.A., D.Sc., F.R.S.E., 108 Comiston Drive.
 Minto, John, M.A., 83 Comiston Drive.
 Mitchell, Charles, C.E., 23 Hill Street.
 Mitchell, William, LL.B., 17 Great King Street.
 Mitchell-Thomson, Sir M., Bart., 6 Charlotte Square.
 Moncrieff, William George Scott, Edgemoor, Lanark.
 Morris, George, 339 High Street.
 Morton, George A., 31 Morningside Drive.
 Moscrip, James, Parsonsgreen House, Meadowbank.
 Murdoch, James C., M.A., 16 Craighall Terrace, Musselburgh.
 Murdoch, Mrs., St. Kilda, York Road, Trinity.
 Murray, Alfred A., W.S., 20 Warriston Crescent.
 Murray, Capt. The Hon. Lord James Steuart, Blair Castle, Blair
 Atholl.

NAISMITH, Mrs. MARY A., 2 Ramsay Garden.
 Napier, Theodore, F.S.A.Scot., 10 Melville Crescent.
 Nicolson, Andrew, S.S.C., 6 Duke Street.

OGILVIE, Rev. J. N., D.D., 18 Craigmillar Park.
 Oldrieve, W. T., F.R.I.B.A., F.S.A.Scot., 13 Braid Avenue.
 Oliver, James, 54 East Claremont Street.
 Orrock, Alexander, 16 Dalrymple Crescent.

PATERSON, J. WILSON, 3 Hope Park Terrace.
 Paton, Rev. Henry, M.A., Elmswood, Bonnington Road, Peebles.
 Paton, Henry Macleod, 13 Argyle Place.
 Paton, Robert, City Chamberlain, City Chambers.
 Paul, Sir James Balfour, C.V.O., LL.D., 30 Heriot Row. (*Hon. Vice-
 President.*)
 Peddie, Miss Barbara, Ard-Coille, Blair Atholl.
 Petrie, James A., 31 Rosslyn Crescent.
 Plummer, W. R., 8 Huntly Street.
 Price, Charles E., M.P., 10 Atholl Crescent.
 Proudfoot, George, 68 Spottiswoode Street.
 Pursell, James, Elmhurst, Cramond Bridge.

LIST OF MEMBERS

17

RAMSAY, JAMES S., 40 India Street.
 Rankine, Thomas, 4 Gordon Terrace.
 Reid, Alan, The Loaning, Merchiston Bank Gardens.
 Reid, John, 82 Strathearn Road.
 Reid, Mrs., Lauriston Castle, Midlothian.
 Richardson, Ralph, W.S., 2 Parliament Square.
 Robbie, J. Cameron, 22 York Place.
 Robertson, David, LL.B., S.S.C., Town Clerk's Office, Leith.
 Robertson, Robert A., 2 Woodburn Place.
 Robertson, William, 1 Atholl Place.
 Robertson, John D., 36 Esslemont Road.
 Romanes, Charles S., C.A., 3 Abbotsford Crescent.
 Rosebery, The Right Hon. The Earl of, K.G., K.T., Dalmeny House.
(Honorary President.)
 Ross, James Wilson, 27 Frederick Street.
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Old Edinburgh Club

1917

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CONSTITUTION

I. The name of the Club shall be the 'Old Edinburgh Club.'

II. The objects of the Club shall be the collection and authentication of oral and written statements or documentary evidence relating to Edinburgh; the gathering of existing traditions, legends, and historical data; and the selecting and printing of material desirable for future reference.

III. The membership of the Club shall be limited to three hundred and fifty. Applications for membership must be sent to the Secretary in writing, countersigned by a proposer and a seconder who are Members of the Club. The admission of Members shall be in the hands of the Council, who shall have full discretionary power in filling up vacancies in the membership as these occur.

Note.—By its original Constitution the Club consisted of Members and Associates. The Associates on the Roll for 1913 shall be continued as such if they so desire, paying a subscription of 2s. 6d. on 1st January yearly, but in future no addition shall be made to their number. These Associates have no vote or voice in the management of the affairs of the Club, but shall be entitled to free admission to the meetings and to take part in the discussion of any subject under investigation.

IV. The annual subscription shall be 10s. 6d., payable in advance on 1st January. Any Member whose subscription is not paid within four months from that date may be struck off the Roll by the Council.

V. The affairs of the Club shall be managed by a Council, consisting of the President, three Vice-Presidents, Secretary, Treasurer, and twelve Members. The Office-bearers shall be elected annually. Four of the Members of Council shall retire annually in rotation, and shall not be eligible for re-election for one year. The Council shall have power to fill up any vacancy in their number arising during the year, to make bye-laws, and to appoint Sub-Committees for special purposes. Representatives to such Committees may be appointed from the general body of Members. At meetings of the Club nine shall be a quorum, and at meetings of the Council seven.

VI. The Secretary shall keep proper minutes of the business and transactions, conduct official correspondence, have custody of, and be responsible for, all books, manuscripts, and other property placed in his charge, and shall submit an Annual Report of the proceedings of the Club.

VII. The Treasurer shall keep the Accounts of the Club, receive all moneys, collect subscriptions, pay accounts after these have been passed by the Council, and shall present annually a duly audited statement relative thereto.

VIII. The Annual Meeting of the Club shall be held in January, at which the reports by the Secretary and the Treasurer shall be read and considered, the Council and the Auditor for the ensuing year elected, and any other competent business transacted.

IX. The Council shall hold stated meetings in April and October, and shall arrange for such meetings throughout the year as they think expedient, and shall regulate all matters relative to the transactions and publications of the Club. Papers accepted by the Council for publication shall become the property of the Club.

X. Members shall receive one copy of each of the works published by or on behalf of the Club as issued, but these shall not be supplied to any Member whose subscription is in arrear. Contributors shall receive twenty copies of their communications. The Council shall have discretionary powers to provide additional copies for review, presentation, and supply to approved public bodies or societies.

XI. In the event of the membership falling to twelve or under, the Council shall consider the advisability of winding up the Club, and shall take a vote thereon of each Member whose subscription is not in arrear. Should the vote, which shall be in writing, determine that the Club be dissolved, the Council shall discharge debts due by the Club, and shall then deposit in trust, with some recognised public institution or corporate body, any residue of funds or other properties, including literary, artistic, and other material collected by the Club, for preservation, in order that the same may be available to students of local history in all time coming.

XII. No alteration of this Constitution shall be made except at the Annual Meeting of the Club. Notice of any proposed alteration must be given in writing to the Secretary, who shall intimate the same by circular to each Member not less than seven days prior to the meeting. No alteration shall be made unless supported by two-thirds of the Members present at the meeting.

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